

A
DISCOURSE
Concerning the
LAWS,
Ecclesiastical and Civil,
MADE AGAINST
HERETICKS,

BY
POPES, EMPERORS and KINGS,
Provincial and General Councils, ap-
proved by the Church of *Rome*:

SHEWING

- I. What PROTESTANT SUBJECTS may expect to suffer under a POPISH PRINCE acting according to those Laws.
- II. That no OATH or PROMISE of such a PRINCE can give them any just Security that he will not execute these Laws upon them.

WITH

A PREFACE against Persecuting and Destroy-
ing HERETICKS.

By a CORDIAL FRIEND to the PROTESTANT RELI-
GION now by Law established in these Realms.

Now Re-published, with an INTRODUCTION.

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A
DISCOURSE

CONCERNING THE
LAW

OF THE
ECCLESIASTICAL AND CIVIL

HERETICS

BY
JOHN IMPERIAL AND KINGS
PROVINCIAL AND GENERAL COUNCILS
PROVED BY THE CHURCH OF ROME



I. What T...
II. That no O...
P... give them any self Security that
be will not expect... upon them

WITH
A P...
for Heretics

By a General Assembly of the Protestant
Church now by Law established in these Kingdoms
Now Republished with an Introduction

LONDON:
Printed by John W... at the Bible
St. Pauls Church-Yard. M. dccc. xxiii.



T H E
P U B L I S H E R.



HOUGH *Popery*, as improv'd in the darker Ages, must appear to every sensible Man, a prodigious Heap of Absurdities, Irrational, Unscriptural, Incredible; yet however, if the Professors of that Faith among us, would be content to believe it, without a Principle and continued Practice of all fraudulent and forcible Means for the Propagation of it, we should rather pity them, than do any harm to them. Their fulness of Persuasion, withoutt the Spirit of Mischief and Persecution, might be treated with a great deal of Allowance and Christian Forbearance: For surely, the deluded in Religion should be dealt with, like others disturbed in their Understanding and Senses; while they are quiet and in-offensive, they ought to be tenderly us'd in their deplorable way; not bound or roughly manag'd, 'till they begin to threaten wrath and violence; then indeed they ought to be restrained and secur'd from insulting others.

If a Member of the *Roman* Church can roundly believe, that a little Wafer of Paſt, is a real Body of Fleſh and Blood, and lets it ſo reſt upon his own Imagination, without affecting my Liberty of ſeeing and believing the contrary; I ſhould only wonder at him, and endeavour to convince him; and that failing, I would uſe no violence with him, I would leave him to the Grace and Mercy of God: Nay, if in the ſame Credulity and ſuperſtitious Conceit, he will worſhip what he eats, and what he cannot but know was made with Hands, and will call it Zeal and true Devotion; I ſhould wonder more, and have ſomewhat more of Indignation at him; yet ſtill, if he let me and others enjoy our reaſonable Service of God, I would have patience to argue with him, and tho' I muſt in my own Conſcience account him an Idolater, yet if I could not convert him, I would only pray for him. But when ſuch a Believer, ſuppoſe of Tranſubſtantiation, will by force make me believe the ſame, or profeſs ſuch Belief whether I will or no, or upon my not being able to believe, or willing to diſſemble, will call me Heretick, and ſet his Church upon me, to purſue me to the laſt extremities, of ſuffering in my Liberty and Goods, and Life itſelf; Surely I muſt look about me, and conſult my own Preſervation, and call in the Protection of Government and Laws in my behalf. Eſpecially if that worſhipper of a piece of Bread muſt think himſelf oblig'd to ſet up the ſame Idol for me to worſhip, and if I will not fall down and adore it, I ſhall be ſacrificed to it, burnt alive.

alive. This creates in me the abhorrence of such a Religion, in the Reign whereof I cannot live in Peace and Safety.

As to their Spirituall Censures, were they merely Spiritual, they would not break my Rest. Let them Excommunicate me, curse me, and pretend to shut the Gate of Heaven against me; yet if this would not reach me in any temporal Capacity, I would despise the Thunder, and sit down and enjoy my own Conscience; but when the Sentence, pretended to be Spiritual, must and will have the outward effects of Confiscation, Imprisonment, Tortures and Death; it is then that the cruel consequences beget a Terroure and Abhorrence of that Communion, wherein I must not only bear the load of Damnation, as far as in their power to cast it on me; but I must first suffer Ruin and Destruction in this World, nay and possibly my dead Body should not be allowed a Christian Burial, or at least not be permitted to rest long in the Grave: For it seems by the Discipline of that Church, the Corps of the Heretick is to be taken up and expos'd, and consum'd to Ashes, and those to be cast into the Air, or upon the face of the Waters.

Nay if the Papists, however violent in their Authority and Powers abroad, could learn here to be in legal Subjection, and would give the like Security with other Subjects for their Faith and Allegiance to the Prince and Constitution, and freely renounce all foreign Jurisdiction and Dependence, and live in Peace and Charity with us their Neighbours, enjoying their own

Ease, and supporting the publick good: I say their bare Religion (if it could be divested of Disloyalty and Cruelty) should not debar them of the common Rights and equal Protection of every free Subject of this Kingdom. But if ever since our happy Reformation, the Spirit of Popery has been striving with it, and must for ever oppose it, if the devout Papist cannot here possibly be the good Subject; if the acting sincerely according to his Church Principles, must tend, of necessity, to endanger the Government, and to bring about, if possible, a total Subversion of it: Surely against such Men our Rulers are ordain'd, and by all the ties of Honour and Conscience, are oblig'd to seek and secure the common safety, and keep within bounds the common Adversary; or otherwise they give up the Constitution, and betray the sacred trust committed to them.

And this really is the right view wherein Popery ought to be taken, in this Church and Nation, by the King and People. As Christians and Followers in the way of Salvation, we must needs be offended with that intolerable Mass of Errors and Corruptions, of Superstitions and Idolatry that has crept into their Creeds and Councils, and obtain'd an Authority which they call Infallible; but however, as Subjects and Neighbours, we are chiefly concern'd to behold Popery in its Discipline and necessary Practice, in its Dominion and Tyranny, over the Rights, Liberties and Lives of Mankind.

And in Truth, Popish Recusancy has been always taken in this View by our Legislative Powers.

ers. No Penal Laws have been enacted against such Recusants, on account of their bare Faith and Opinions ; however opposite to Scripture and common Sense ; but on the Score of their Disaffection and Disobedience to the establish'd Government, and their continual practising to overthrow it. It appears so in all the Laws that have been made against them, since the Accession of Queen *Elizabeth*. The Act of Supremacy 1 *Eliz.* was for putting away all usurped and foreign Powers and Authorities, and for disburthening Subjects of divers great and intolerable Charges and Exactions ---- i. e. not to meddle with speculative Tenets ; but to secure the Nation from Popish Tyranny and Oppression. The next Penal Law against Popish Recusants, was in 5 *Eliz.* cap. 1. not at all for matters of meer Faith ; but of dangerous practice only, even because of the dangers by the Fautors of the usurped Power of the See of Rome, at this time grown to marvellous outrage and licentious boldness, and now requiring more sharp Restraint and Correction of Laws, than hitherto in the time of the Queen's Majesties most mild and merciful Reign hath been, had, used or established. The next Penal Law was against the same Men, for being the same Adversaries to the publick Peace and Interest. 13. *Eliz.* cap. 11. for self defence and preservation of the Government in Church and State, because divers seditious and evil disposed People ----- were mind-
ing very seditiously and unnaturally, not only to bring this Realm into Thraldom and Subjection to the See of Rome ; but also to estrange
and

and alienate the Minds and Hearts of sundry of her Majesty's Subjects, from their dutiful Obedience, and to raise and stir Sedition and Rebellion within this Realm --- to the Disturbance of the most happy Peace thereof. And so in all the other wholesome Laws and Statutes of that long and glorious Reign, the Restraints and Penalties were for the unruly and disobedient, for the Conspirator and Traitor. And when some Priests and Jesuits, and their bigotted Pupils, guilty of such Conspiracy and Treason, would have assum'd the glory of suffering for their Faith and Religion: The honestest and wisest Statesman of that Reign, the Lord Cecil, wrote and publish'd a Proof and Demonstration, that their *Execution* was not for *Religion*, but for *Treason* only. So in like manner all subsequent Laws for restraining and disabling the Papists, were not on the Religious, but on the Political and Civil Account, down to the last of them, for a *Register of their Estates*, thereby to make them responsible to the Government in their *Known Avow'd Civil Enmity*.

If amidst the late Popish Persecutions abroad, the like Reasons could be now given, that all that Severity against the Reform'd in any Country, was for their being attach'd to some foreign Interest and Power, and for their continual Attempts upon the present State, towards bringing in that Foreign Power; or otherwise they should never have been touched in their Estates or Persons, upon any Account of their Faith and Worship: I think there would be an End of all the complaints of Persecution. But They are intitled to our Compassion, and if possible to our Assistance
and

and Redress; because they were there at no enmity with the civil Powers, they were Peaceable and faithful in the Land; no Principles of Disloyalty, no insolent Behaviour, no Liberty, but that of Conscience, to which they had a Claim and Title, not only by the Laws of Nature and the Gospel, but by the Constitution they liv'd under, by express Treaties and Compact. The *French* Protestants had a Right to Protection by Royal Edicts, and were so far from suffering for their Disaffection and Disservice to the King and Kingdom, that upon Principle and Way of Life, they had been the most Loyal, and the most useful Subjects.

Our Papists in *England* make terrible Complaints, that they are treated more severely than the wildest Sectaries among us; but in truth, the proceedings against all manner of Sectaries and Separatists, was upon the same Foundation with those against Popish Recusants. The Government was to judge when in safety to indulge them, and when in danger to reclaim them. Pure Conscience was never to be forc'd, and Sedition never to be tolerated.

This was the healing Principle, upon which K. *Ch.* II. was restored; upon the first View of his Return, he wisely *Declar'd* in writing, a Liberty to tender Consciences, and that no Man should be disquieted, or called in Question for differences of Opinion in matters of Religion, which do not disturb the Peace of the Kingdom. And that he would be ready to consent to such an Act of Parliament, as upon mature Deliberation should be offered to him, for granting that

that Indulgence *. This his Majesty repeated in another *Declaration concerning Ecclesiastical Affairs*, 25 Octob. 1660. And His first Proclamation *prohibiting all unlawful and seditious Conventicles, under pretence of Religious Worship*. 10. Jan. 1660-1. was not till after the desperate Insurrection of Fenner and his Crew, in the Name of the Lord.

This was the Judgment of the Lord Keeper Finch; in the Name of the King, he told the two Houses, Apr. 13. 1675; *When we consider Religion in Parliament, we are suppos'd to consider it as a Parliament should do, and as Parliaments in all Ages have done, that is, as it is a Part of our Laws, a Part, and a necessary Part of our Government: For as it works upon the Conscience, as it is an inward Principle of the divine Life, by which good Men do govern all their Actions, the State hath nothing to do with it; 'tis a thing which belongs to another kind of Commission, than that by which we sit here. --- This sense and explication of Liberty of Conscience in pure Religion, was consistent with all the Penal Laws against Popery, and the punctual Execution of them. And therefore, he told them in the same Breath; That his Majesty considering Religion as Protestant, and as it stands in opposition to Popery, upon this Account he had awakned all the Laws against the Papists. There is not one Statute extant in all our Volume of Laws, but his Majesty hath now put it in the way of taking its full Course against them. And upon this Account also it is, that in a League lately renew-*

* Declaration from Breda, April 14. 1660.

ed with a Protestant Crown, his Majesty hath made it one Article of that League, that there shall be a mutual Defence of the Protestant Religion.

So little Reason have the Papists to complain of Persecution, that some Penal Laws have been no less severe against our fellow Protestants, when they have incur'd the like Suspicion of being Enemies to the Government. Their Principles were less criminal, and possibly their Attempts and Designs less dangerous. However, when they appear'd to the Legislature to be disturbers of the publick Peace, the Law soon provided against their restless and seditious Behaviour, and the perils and troubles they created to the Government, at such a Juncture as justified that new severity upon them. So expressly in the first *Act to suppress and prevent seditious Conventicles*. It was for providing further and more speedy Remedies against the growing and dangerous Practice of seditious Sectaries and other disloyal Persons, who under pretence of tender Consciences, do at their Meetings contrive Insurrections, as late Experience hath shewed. And so in the next Penal *Act for restraining Nonconformists from inhabiting in Corporations*; it was because the Teachers had taken upon them to preach in unlawful Assemblies, Conventicles or Meetings, thereby taking an opportunity to distil the poisonous Principles of Schism and Rebellion into the Hearts of his Majesty's Subjects, to the great danger of the Church and Kingdom.

Surely the Articles of Popery, as to Profession and command of Belief, are infinitely more absurd

furd and shocking, than the singular Tenets of any other way of Separation ; Yet in the Eye of the Legislature they are the same ; that is, neither of them are considered as to the Truth or Falshood of them ; but as they have visibly tended to instigate the Professors of them, to an opposition and insult of the Government by Law establish'd.

Upon the happy Revolution, the Protestant Dissenters had their Liberty of Conscience, reasonably owing to their good Affection to the legal Settlement, and may they long enjoy it upon that Title. Nay, were it possible for the *English* Papists to be as firmly united to the common Interest of their Country, and to be as utterly averse to all foreign Pretensions of usurping upon the Rights of King and People, I dare say, they would be protected, they would be indemnified, the Legislature would not enact, the Administration would hardly inflict any Punishment upon them, purely for their Conscience and Religion, however erroneous, while they live in Charity and Peace and due Allegiance.

But such is the Complexion of *English* Popery under a Foreign Head and *Roman* Priesthood, and an Alien *Pretender*, that they who would believe and follow the Obligations of Conscience, cannot be well affected, cannot be faithful to our Legal Constitution. They are alienated from a natural Allegiance : They are engag'd to refuse Oaths of Subjection, or if they take them by constraint, they must seek Evasions, or sue for a Dispensation, or an Absolution in their holy Way : They must endeavour to introduce their

own Religion : They must be always attempting to extirpate our Northern Heresie.

This has made every Protestant Reign since the Reformation, continually plagu'd and push'd at by Popish Plots and Conspiracies. And we are now more expos'd to a fatal Necessity of 'em, than in former Reigns : For down to the Deliverance brought by King *William*, they commonly agreed with us in the Right and Title of the civil Sovereign ; they only contended for an Ecclesiastical Supremacy abroad, a Right of the Pope in Spirituals, or at highest in order to them ; whereas of late they have brought forth the two Swords, a pretended temporal Right of Sovereignty, as well as an Ecclesiastical Supremacy ; and they are bound with those double Chains, to be two-fold more our Adversaries, and to seek all opportunities of restoring their Prince and their holy Father. Especially when the One has been the continual Guardian of the other, has taken him into his Court and his very Bosom, for a Place of Refuge, and seems to promise to recommend him with his last Breath.

And yet it seems these Men, if they are restrain'd from doing Mischief, are the most ready to complain of suffering Persecution. It affords indeed this standing argument against Persecution, that the greatest Persecutors, when it comes to their own turn to suffer, will grievously complain of it ; and will impute their suffering to Conscience and Religion, tho' it was altogether for Faction and Rebellion. As if they, happy Men, had a Right to persecute others unto Death, for what they acknowledge to be matters of Faith

Faith only; and yet must be themselves exempted from every the least sort of suffering for matters of Fact and Practice, for combining to distress us and betray us, to weaken and subvert the Government, that allows them Property and Protection.

Surely they owe their hopes of Success, not so much to their own Strength, as to the infatuation of many who are call'd Protestants. Strange Infatuation! It has shewn itself in many Shapes, but certainly it makes the most monstrous Figure, when Protestants act the Popish part, and push on the Intrigues and Interests of the See of *Rome*, and the Pretender's Court. Tools in the Hands of others, to deface and destroy their own Church and Country, without once considering that when the Workmen come for their Wages, the Tools will be laid aside; or the utmost Indulgence given to them, will be to receive them as penitent Profelytes to the Church of *Rome*, and let them there enjoy their Love of rigid Principles and loose Lives.

In the Popish Plots and Conspiracies against us, nothing can be more provoking, than to justify them and sanctify them if they do succeed, and if they fail, to deny them, and ridicule 'em. It would make a long History, to go into a Proof of these their Arts. Two short Instances arise in the *Gun-Power Treason*, and *Irish Massacre*, the first was discover'd and prevented, the last had its terrible Effect. Why therefore, at this very Juncture of time, the Popish Writers wipe away the one, and seem to glory in the other. The Writer of the late *View of English History*, has again with

a new Face, cast the Powder-Plot upon the Lord *Cecil*, and pretends it was projected by him for the Reign of Queen *Elizabeth*, tho' not executed till the beginning of King *James*, when his Lordship drew in a few Catholicks to burn their Fingers in it. And what is somewhat more to be admir'd, the *Irish Massacre* executed in 1641, with such a vast Effusion of Blood, not capable of denial, has been within a few Days so softened and extenuated, that one would think it justified by the late Prefacer to the *Memoirs of the Earl of Clanricard*. Surely such Books were calculated for an expected Season of Conspiracy and Murder.

This makes the Publication of this Treatise the more opportune and useful. The learned Author drew it up, after a full Conviction of the truth of a Popish Plot, and amidst the terrible Views of a Popish Successor in 1682. About which time, our Bishops and Divines had in a good Number of immortal Tracts, confuted every Doctrine and false Position of Popery; and to shew their Practices more abominable, it was committed to this able Man to open the Scene of Tyranny and Cruelty towards those they called Hereticks, and and to shew that all the dire Penalties of Loss and Pain in Life and Death, were enjoined by their general Councils, were required and exacted by their Popes and Church Officers, were put in Execution by Princes and People of that Communion, whenever they had Strength and Time for it. And from hence he form'd in the *Preface*, what he rightly terms *A sensible Demonstration of the falshood of the Religion of the Church*

Church of Rome; because this barbarous Dèportment towards Hereticks was evidently repugnant to the true Spirit of Christianity, most contrary to the Example of our Blessed Saviour, and wholly opposite to the Principles and Practice of the primitive and purest Ages of the Church.

The Author not setting his Name, declin'd the credit of this excellent Performance. Modesty has a Right to hide the Face, and it is then a Rudeness in any other person to expose it; but if I guess aright, he was a Man excellently qualified for such a Work. He had been a severe Student in the University of *Oxford*; he was call'd from thence to go Chaplain to an *English* Embassy abroad; he return'd with good Reputation for Knowledge and Discretion; he was receiv'd as Domestick Chaplain at *Lambeth*; he was well esteem'd and well prefer'd by the Archbishop, and was afterwards honourably elected a Professor of Divinity in *Oxford*; and died too soon for the learned World, very much lamented by it.

I intended to conclude this Advice to the Reader with some Application to the present Juncture of Affaires; but I find my own Thoughts better represented by the ingenious Pen of Sir *Richard Blackmore*, in his late lively *Preface* to his *True and Impartial History of the Conspiracy against the Person and Government of King William III. in the Year 1693.* which *History* and *Preface* may be of wise Use and Service to the present Generation, wherein some are asleep, and some few begin to open their Eyes.

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THE PREFACE.



Y Design in publishing this little Treatise, and the Use which I desire all good *Christians* to make of it, is,

First, To confirm them in the *Protestant Religion*, by such a sensible Demonstration of the *Falshood* of the Religion of the *Church of Rome*, as Men of all Capacities may apprehend. For if this barbarous Deportment towards *Hereticks* be evidently repugnant to the true Spirit of *Christianity*, if it be contrary to the Example of our *Saviour*, which we stand bound to imitate; if it be wholly opposite to the Principles and Practice of the *primitive* and *purest* Ages of the *Church*; I hope this will sufficiently convince *wise Men*, that the Religion which commands these Cruelties and Inhumanities, cannot derive it self from him who is the *God* of Love, and Patience, and Mercy, and Pity to the Sons of Men.

§. 1. Now that to burn, destroy, extirminate all those who differ from us in Religion, and

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upon

upon that account are called *Hereticks*, (though they be Men of peaceable and quiet Lives) and prosecute them according to the Laws here mentioned, purely on the account of Conscience; that this, I say, is evidently repugnant to the true Spirit of *Christianity*, we learn from *Christ's* own Words to his *Disciples*, who, when a Village of *Samaria* refused to receive him, because he appeared to them to be going to *Jerusalem*, ask'd this Question, Lord, wilt thou that we command Fire from Heaven to come down and to consume them, as *Elias* did? For our dear Lord no sooner heard this Question, but he rebuked his *Disciples*, saying, Ye know not what manner of Spirit ye are of, for the Son of Man is not come to destroy Mens Lives, but to save them. Where observe,

Luke ix.
54.

Ver. 55.
56.

1. That whereas they who are thus persecuted by the Church of Rome, are falsely supposed to be *Schismaticks* and *Hereticks*, the *Samaritans* undoubtedly were both. For, First, in Opposition to the Temple of *Jerusalem*, which God himself appointed for the Place where he would be Worshiped, commanding all Men to repair to it, they erected a Temple upon Mount *Gerizim*, and there they Worshiped, deserting the Temple of *Jerusalem*; this was their *Schism*. Secondly, They also were *Hereticks* and *Idolaters*, for they err'd in matters which concerned Salvation, they feared the Lord, and served their own Gods, 2 Kings xvii. 33. And this our Saviour testifieth in these Words, Ye worship ye know not what, we know what we worship, for Salvation is of the Jews.

John 4.22.

2. Observe, That whereas *Romanists* do exercise this Cruelty on them whom they call *Schismaticks* and *Hereticks*, chiefly for their refusing to receive and own him as *Christ's* Vicar, who manifestly doth usurp that Title; these *Samaritans* refused to receive our Saviour himself in his own Person,

The P R E F A C E.

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Person, and that because he seemed to be going to *Jerusalem* to Worship; so that the Honour of *God*; and of *Religion*, and of *Jerusalem*, the Place of his peculiar Worship, were all concerned in this Case.

3. Observe, That the Permission of what was here desired by *St. John* and *Peter*, would have been more effectual for the Conviction of the Heretical, Schismatical *Samaritans*, than any of the Punishments inflicted by the *Inquisition*, or any Arts of *Papal Tyranny* can be for the Conviction of those whom they call *Hereticks* and *Schismaticks*; for these *Disciples* did not desire that they themselves might execute on the *Samaritans* this Sentence, by committing them to the Flames, or by imploring the *Magistrates* Assistance to consume or burn them, they only did request that they might call upon the *God* of Heaven to rain down Fire upon them, and consume them; which had it pleased him to do on this Occasion, the rest of the *Samaritans*, by what this Village suffered, must have been evidently convinced by Demonstration from Heaven, of *God's* Displeasure against their way of Worship, and of the Truth of that *Messiah* and his Doctrine, who procured this Vengeance to be executed upon them; whereas the *Persecutions* of the *Romish Church*, because they minister no Conviction to the Conscience, serve only to harden Mens Hearts, and imbitter their Spirits against those who use them, and to induce them more firmly to believe, That such a barbarous Religion cannot be of *God*.

From these three Observations it is evident, that whatsoever may be pleaded by the Church of *Rome* to justify her Practice in burning, massacring, extirpating of *Hereticks* and *Schismaticks*, might with Advantage have been pleaded here: "Doth she practise her Severities out of a Zeal for

Dr. Tillotson's Sermon, Nov. 5. 1678. p. 15.

“ Truth, and for the Honour of God and *Christ*,
 “ and of the true Religion, and for the reclaim-
 “ ing *Hereticks* and *Schismatics*, and the prevent-
 “ ing or terrifying others from adhering to them,
 “ or being deluded by them.” Upon all these
 Accounts, you see that the *Disciples* had far greater
 Cause to call for *Fire from Heaven* upon this
 Village of *Samaria*. And yet our *Saviour*, under
 these Circumstances, thinks fit to rebuke even
 the *Desires* of doing this to one small Village:
 How then will he rebuke the actual Performance
 of it to many hundred thousand Souls, after his
 solemn Declaration of the Repugnancy of these
 Proceedings to the Design of his most blessed
Advent, and to the Spirit of his *Gospel*? For the
 true Reasons why *Christ* rebuked his *Disciples* for
 their Desire of dealing thus severely with these
 Schismatical and Heretical *Samaritans*, were these:

1. Because this Spirit of Severity towards erroneous Persons, in whomsoever it is found, is highly opposite to the calm Temper of *Christianity*, as is insinuated in that Reply of *Christ* to his *Disciples*, *Ye know not what Spirit ye are of*, that is, Ye do not well consider under what Way of Dispensation ye are placed by me. The Way I come to teach
- Ibid.* p. 7. Men, the Temper, Disposition and Affection I would fix within them, is not a furious, persecuting, and destructive Spirit, but mild, and gentle, and tender of the Lives and Interests of Men, even of those who are our greatest Enemies. Under the *Old Testament*, indeed, they who rejected and scoffed at a *Prophet*, suffered severely for it, the *Prophet* had Commission to call for *Fire from Heaven* to devour them presently, curse them in the Name of the Lord, 2 Kings ii. 24. But they who reject and crucify *Christ*, are by him pray'd for, and are, by his Command, to be still preached to, and, if possible, brought to Repentance; and according

Vide Dr.
 Hammond
 in locum.

According to this Example, so are all *Christians* to conform themselves, acting towards Contemners of their *Persons*, or Rejectors of their *Doctrine*, not according to the *legal*, but the *evangelical* Dispensation; not according to the Severity of *Elias*, but the *Meekness* and *Gentleness* of *Christ*. And therefore your Desire of proceeding according to the extraordinary Spirit of *Elias*, under the *Gospel* Dispensation, is intolerable; for that designs universal Love, Peace and Good-will, even to Enemies, it doth engage us to *shew all Meekness to all Men*, and so no Difference of Religion, no Pretence of Zeal for *God*, can justify this fierce, vindictive and exterminating Spirit. Tit. 3. 1.

2. Our *Saviour's* second Reason against this Proceeding is, That it was repugnant to the End for which he came into the World, which was, *not to destroy mens Lives, but to save them*: "He came to discountenance all Fierceness, and Rage, and Cruelty in Men one towards another, to restrain and subdue that furious and unpeaceable Spirit which is so troublesome to the World, and the cause of so many Mischiefs and Disorders in it, to beget a peaceable Disposition in Men of the most distant Tempers," making the *Lamb and Wolf lie down together*, and no more to *destroy and hurt each other*, but *turn their Swords into Plow-shares, and their Spears into Pruning-Hooks*; engaging them to *lay aside all Bitterness and Wrath, Anger and Clamour, and Evil-speaking, with all Malice*. "He came to introduce that excellent Religion which consults not only the eternal Salvation of Mens Souls, but their temporal Peace and Security, their Comfort and Happiness in this World:" Whose Fruits are *Righteousness and Peace*, Rom. xiv. 18. *Love, Peace, Long-suffering, Gentleness, Goodness and Meekness*, Gal. v. 22, 23. whose *Wisdom is pure and peaceable, gentle, and easy* Dr. Tillot. *ibid.* P. 8. Esa. xi. 6, Ef. ii. 4. Mich. iv. 3. Eph. iv. 31.

to be intreated, full of Mercy and Good-works, Jam. iii. 17. and which commands the wise and knowing Man to shew forth out of a good Conversation his Works with Meekness of Wisdom, ver. 13. condemning all his bitter Zeal as earthly, sensual and devilish, ver. 14, 15. which suffers not the Servant of the Lord to be engaged in such foolish Questions which beget Strife, because that the Disciple of this mild and gentle Saviour must not fight, but must be gentle towards all Men, patient, in Meekness instructing those that oppose themselves against the Truth, though their Doctrine spread as a Gangreen, and overthrow the Faith of some, 2 Tim. ii. 24, 25, --- 17, 18. not dispatching them out of the way, as is the manner of the Romanists, but with Long-suffering expecting if God peradventure will give them Repentance to the Acknowledgment of the Truth; which teacheth us to bear the Infirmities of Persons weak in Faith, Rom. xv. 1. to restore them in the Spirit of Meekness, Gal. vi. 1. to become as weak to the weak, that we may gain the weak, 1 Cor. ix. 22 to bear with the weak, and be Long-Suffering to all Men, 1 Thess. v. 14. to speak evil of no Man, to be no fighters, but meek, shewing all Gentleness towards all Men, and that upon this sole Account, that we our selves were sometimes foolish and deceived, Tit. iii. 2, 3.

Now both these Reasons are such as equally concern all Persons, Magistrates as well as Ministers, Men who thus persecute out of mis-guided Zeal towards God, as well as they who do it out of Envy, Hatred, and such carnal Principles. And they seem plainly to infer, that no Man should be persecuted, as in the Church of Rome Men are, purely for his mistake concerning, or his denial of any Article of Faith revealed by the Gospel, but only for seditious and treasonable Doctrines, or for such Crimes, as, had the Gospel never been revealed, might justly have been punished by the

Civil Magistrate; or for seducing others from the Truth, when by the *Magistrate* they are forbidden so to do; or propagating and divulging their pernicious Errors, to the disturbance of the *Civil Peace*.

§. II. 2. Against this barbarous Deportment towards our Fellow *Christians*, it may be farther argued from the Example of our *Saviour*, and the Deportment of his Blessed *Apostles*. For,

1. Our *Saviour's* Miracles were not destructive to Mankind, but beneficial to them, whereas he could, and, had he been of the same Judgment with the *Church of Rome*, he should have exercised his Power to the Destruction of those *false Prophets who deceived many*, Mat. xxiv. 11. and of those *Scribes and Pharisees* who did so vigorously oppose the Propagation of the *Gospel*; and who ascribed his Power of working Miracles to *Beelzebub*, and by so doing became guilty of the imputable Sin. For what can be pretended for the Exercise of this Severity at present, which might not with Advantage have been then pretended? What can be said for doing this by *humane Power*, which might not have been said more plausibly for doing it by *divine Power*? Will you say the *Scribes and Pharisees* did ignorantly oppose the *Gospel*, and therefore by our *Lord's* Example are to be forgiven, that they were Objects of *God's* Mercy, because they did it ignorantly in Unbelief, as well as *Paul*? ^{1 Tim. i. 13.} No doubt their Ignorance was as gross as that which they can reasonably object to us whom they call *Hereticks*, and therefore the Example of our *Saviour's* Prayer, *Father forgive them, they know not what they do*, and of *God's* Mercy to *St. Paul*, more strongly plead for Mercy towards them, whom without Mercy they destroy. Were not those *blind Guides*, who led their Followers into the ^{Matth. xv. 4.} *Pit*, who made their *Proselytes ten times more the*

Matt. xvii. *Children of Satan than themselves, who neither would*
 13. 15. *enter into the Kingdom of God, nor suffer other Men*
to enter, as fit Objects of our Lord's Displeasure;
as was Huss, and Jerome of Prague, Archbishop
Cranmer, Latimer and Ridley, of the Displeasure
of the Church of Rome? Was not the Execution
of Death from Heaven upon these violent Oppo-
sers of the Truth, as likely to convert the Jew
or terrify the Enemies of the Gospel, as is the
burning, massacring, tormenting of the Hereticks,
to fright them from their Heresies? Might not our
Lord as well have called for his twelve Legions of
Angels to destroy the Scribes and Pharisees, as his
pretended Vicar gathers Crusado's to destroy the
Hereticks? And might he not more plausibly have
pleaded Zeal for God and for Religion in his Case,
than doth the Church of Rome in hers? But, not-
withstanding all these Provocations and specious
 Dr. Tillot-
 son, *ibid.*
 p. 13. *Pretensions, our Lord, "intending that his Reli-*
gion should be propagated in human Ways, and
"that Men should be drawn to the Profession of
"it by the Bands of Love, and the Cords of a
"a Man, by the gentle and peaceable Methods
"of Reason and Persuasion, gave no Example of
"a furious Zeal and religious Rage against those
"who despised his Doctrine. It seemed good to
"the Author of this Institution to compel no
"Man to it by temporal Punishments; when he
"went about making Profelytes, he offered Vio-
"lence to no Man, only said, If any Man will be
"my Disciple, if any Man will come after me. And
"when his Disciples were leaving him, he does
"not set up an Inquisition to torture and punish
"them for their Defection from the Faith, only
"says, Will ye also go away?"

John vi.
67.

§. III. But to proceed to the Example and Deportment of those *Apostles* by whom the *Gospel* was first Propagated, let us consider.

i. That in their days the *Hereticks* were as pernicious, the *false Prophets* and *Deceivers* as dangerous, and so as fit to be cut off, as were the *Hereticks*, who have, and do thus suffer in the Church of Rome. Our Saviour did foretel that they would deceive many, and, if it were possible, even the elect. St. Paul, That grievous *Wolves* should enter into the Church, not sparing the flock; That men should speak perverse things, to draw away disciples after them; That in the latter times some should depart from the Faith, giving heed to seducing Spirits and doctrines of Demons, speaking lyes in Hypocrisy, &c. St. Peter, That there should be false Prophets among them who should bring in damnable Heresies, even denying the Lord that bought them, by reason of whom the way of truth should be evil spoken of: They declared concerning these *Deceivers*, That by good words and fair speeches they deceived the hearts of the simple; That they bewitched them, that they should not obey the truth; That they made them fall from grace, and rendred Christ unprofitable to them; That their Doctrine did spread as a Gangreen, and overthrow the Faith of some. That they subverted whole houses; teaching things which they ought not, particularly, that *Jezabel*, calling her self a Prophetess, did pervert Christ's servants, and teach them to commit whoredom, and eat things offered to Idols; That by means of these false teachers, and Corrupters of the Truth, some had already swerved from the Faith, turning aside to vain janglings, some had made shipwreck of the Faith, and that they were in doubt of others; that they were jealous over them with a Godly jealousy, and feared lest as the Serpent beguiled Eve through his subtilty, so their minds should be corrupted from the simplicity that is in Christ. So that you see, they had great reason to do

Matt. 24.

II. 24.

Act. 20.

29 30.

1 Tim. 4.

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2 Pet. 2.

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do themselves, and to advise the *Rulers* of the *Church, Civil and Sacred*, in future Generations, to do all that was proper and fitting to be done by *Christians* for the rooting up of those *Tares*, and the delivering the Flock of *Christ* from their pernicious Delusions.

2. Consider that the *Disciples* of our Lord could have confounded all these *Hereticks, false Prophets* and *Deceivers*, and by a Word have sentenced them to Death, as *Peter* in the case of *Ananias* and *Saphira* did, had they conceived this Method of proceeding suitable to the Mind of *God*, the Rules of their Profession, and tending to the Edification of the *Church*. For they were furnished with a Power of working Miracles, the *Weapons* of their *Warfare* were not carnal, but mighty through *God*, to the pulling down of *Strong-holds*, and casting down every thing that exalted it self against the Knowledge of *Christ*, and to revenge all *Disobedience* against him; they had a Power given them by *Christ*,
 2 Cor. x. 4, 5, 6. *χρησθῆς ἀπολόμωτος. to use Severity, provided that it were for Edification, and not for Destruction, ἐξαυτῶν τὸν πονηρὸν, to take away, or, to cut off the wicked Person* from among them by the *Spiritual Sword*:
 2 Cor. xiii. 10. *for Edification, and not for Destruction, ἐξαυτῶν τὸν πονηρὸν, to take away, or, to cut off the wicked Person* from among them by the *Spiritual Sword*:
 1 Cor. v. 13. *The Kingdom of God* preached by them, was not in Word only, but in Power, they had a Rod for the Chastisement of those refractory Persons on whom the Spirit of Meekness could not prevail, and they could give Men up to Satan for the Destruction of the Flesh; but yet we never find that they did use their Power to inflict Death upon the *Heretick* or the *Deceiver*, or that the Power of the Lord, which did attend upon their Censures, ever did thus operate. But on the contrary, the *Fathers* note, * that the

* Ὅσον τίθῃσι τὸ Σάβαν, μὴν σώματι ἁψαδῶ. μὴ ἐν ψυχῇς ὁμοιον ἐν τῷ Ἰωὼ θησὶν ὁ Θεός, πλὴν τῆ ψυχῆς αὐ-
 Apostle

Apostle setteth Bounds to the Chastisement of the Devil, permitting him to afflict the Body of the wicked Person, or the Heretick, with a Disease, or Boil, but not to take away his Life, as in the case of Job.

3. Consider, that these *Apostles*, knowing, by the Spirit, that the *Christian Faith* would certainly prevail, and after a few *Centuries* would have the Favour and the Protection of the *Civil Magistrate*, could, had they thought it meet, have left, in those most Sacred Books which they composed to be a *Rule of Faith and Manners* to all future Ages, some Directions to the *Civil Magistrate* for dealing with the *Heretick*, agreeable to the *Decrees of Roman Councils*; for it is not to be supposed, that they either wanted Zeal for that Religion which they promoted with the Loss of Life, and all things in this World desireable, to prompt them so to do, or that they wanted Wisdom to know what was the best and truest Method of promoting, or of preserving that Religion which they had preach'd throughout the World.

4. Consider, that the *Apostles* shewed their Care and Zeal for Preservation of the *Church* from the pernicious Doctrines and Delusions of these false Teachers, by all other Ways which they judged proper for this End. For,

1. We find in their Epistles frequent Exhortations to the *Christian* to stand fast in the Faith, 1 Cor. xvi. 13. to hold fast the Profession of the Faith without wavering, Heb. x. 22. to hold fast the Form of sound Words, to hold 2 Tim. i. 13. fast the faithful Word as they had been taught, against all Opposers, to be stedfast in the Faith, to contend Tit. i. 9. earnestly for the Faith, and to build up our selves in 1 Pet. v. 9; Jud. iii. 20; 4.

τὴ μὴ ἀλν' καλῶς ὅς εἰς ὀλεθρον τ' σαρκός, οἷον ἵνα νόσω αὐτὸν τήξῃ. Oecum. in 1 Cor. 5. 5. p. 438. Gr. Theodoret. in locum ἵνα μασίξῃ αὐτὸν ἑλκεῖ ποικυρῶ, ἢ νόσῳ ἑτέρῃ. Chrysostom in locum.

Acts xiv. *our most holy Faith, and that because of certain Men*
 22. *crept in among them, who turned the Grace of God into*
 John viii. *Lasciviousness; to continue in the Faith, and in the Word*
 3. *of Christ, and in the things which they had learnt.*
 2 Tim. iii.

14. 2. They gave all *Christians* notice of these false Teachers and Deceivers, that they might avoid them, and beware of their Delusions. Beware of false Prophets faith our Saviour, by their Works you shall know them, Matth. vii 15. See to it, faith he, I have told you of them, Mark xiii. 23. Mark them, and avoid them, faith St. Paul, who cause Divisions and Offences, contrary to the Doctrine which you have received, Rom. xvi. 17. Beware of Dogs, beware of evil Workers, beware of the Concision, faith the same Apostle, Phil. iii. 1. turn away from them, 2 Tim. iii. 5. beware lest, being led away by the Error of the wicked, you fall from your own Stedfastness, faith Peter, 2 Pet. iii. 17.

3. They frequently exhort the Rulers of the Church to take heed to their Flocks, and to be watchful to preserve them from these Wolves, Acts xx. 28, 31. to stop their Mouths, and to rebuke them sharply, Tit. i. 11. 13. to reject, and to turn from them, 2 Tim. iii. 5. Tit. v. 10. And our Lord, Christ himself, rebukes the Church of Thyatira, for suffering Jezabel to seduce his Servants.

4. They sometimes did deliver up to Satan those who made Shipwreck of the Faith, and who had overthrown the Faith of some, as in the case of Hymeneus and Alexander, 1 Tim. i. 19, 20. they declare that they were ready to revenge the Disobedience of the Seducers of the Church of Corinth, 2 Cor. x. 6. they wished them cut off who troubled the Church; as in the case of the Galatians, Gal. v. 12. And that God would reward them according to their Works, as in the case of Alexander, 2 Tim. iv. 14. And yet, though in another Instance, and for another Crime, they once inflicted Death upon two Members

bers of the Church, yet did they never do it in the case of *Heresy*; but on the contrary, they declared their Power was given *not for Destruction, but Edification.*

2 Cor. x.

13.

5. Consider that their miraculous Proceedings against *Hereticks*, had they thought fit to act after the manner of the Church of *Rome*, must have been more convincing to the remaining *Hereticks*, and more effectual to preserve others from the Infection of their *Heresie*, and for all other pious Ends, than human Punishments can be supposed to be, they being Demonstrations from Heaven of the Falseness of the Doctrine of the *Heretick*, and the Displeasure of the Lord against it, they being done, *τῇ Δυνάμει τῷ Κυρίου*, by the Power of the Lord, confirming the Sentence of these Church Governors, must be a Confirmation of the Justice of that Sentence. Whereas the Proceedings of the Church of *Rome* can have no such Effects, but rather tend to harden Persons in their supposed *Heresy*, and shew that they of *Rome* distrust the Merits of that Cause which cannot be maintained by any other Arguments but Fire and Faggot, Swords and Inquisition. That therefore the Apostles declined this Method of proceeding, that they gave no Instructions to future Ages to deal with *Hereticks* in such a bloody Manner, is a convincing Demonstration, that they conceived such Actions were repugnant to *Christianity*, and to that Doctrine which they preach'd. And truly, "if *Christianity* can be contradicted, it is most palpably and grossly done by those Men, who, instead of shewing all Meekness towards all Men, though foolish and deceived, do by Inhuman Cruelties and Persecutions, by barbarous Inquisitions, bloody Massacres, endeavour to extirpate all that differ from them; who, instead of instructing in Meekness those that oppose themselves, if God per-

" adventure

Dr. Tillotson, p. 11,

“adventure will give them Repentance to the Ac-
 “knowledge of the Truth, convert them with
 “Fire and Faggot, and render it impossible for
 “them to repent; who, instead of chastising the
 “Flesh, that the Soul may be saved in the Day of the
 “Lord Jesus, and labouring to recover them out of the
 “Snare of Satan, give them up quick into his
 Hands, their Bishops being not ashamed to say at
 the Condemnation of an Heretick, *Jam committimus Animam tuam Diabolo*, We commit thy Soul
 to the Devil.

§. IV. Besides these, other Reasons have been
 used by our Divines against this kind of Persecution,
 and putting Hereticks to death, which, though they
 seem not to me so convincing as the former Ar-
 guments, yet were they used by the Ancient Fa-
 thers to that very Purpose for which they were
 produced by our Writers, and so deserve to be
 insisted on, at least to shew the full Agreement of
 the Ancient Fathers with us in this Point. And,

Matt. 13.

29, 30.

Dr. Tay-
 lor's Liber-
 ty of Pro-
 phesy,

Chap. 13.

1. They plead our Lords Command, who saith to
 his Servants, *Gather not the Tares by themselves, but*
let them both grow together till the Harvest; “Where
 “the Enquiry will be, First, What is meant by
 “Tares, or *The Children of the wicked One*; Whether
 “Persons wicked only in *Re practica*; or vicious in
 “their Lives, or Men criminal or faulty in *Re intel-*
 “*lectuali*, perverse in Judgment, and *reprobate con-*
 “*cerning the Faith*, for one or other of these two
 “must be meant, but the former cannot be meant,
 “because it would destroy all Bodies politick, which
 “cannot consist without Laws, nor Laws without
 “Compulsion and the Power of the Sword; so that
 “if Criminals were to be let alone to the Day of
 “Judgment, Bodies politick must stand or fall at the
 “Pleasure of wicked Men, and nothing Good could
 “be protected, nor Innocence itself; nothing could
 “be

“ be secure but Violence and Tyranny; it follows
 “ then that the Persons whom *Christians* are forbid-
 “ den here *to root out of the Field*, must be Men faulty
 “ in another kind, in which the *Gospel* had not in
 “ other places clearly establish’d a compulsory Pow-
 “ er of this Nature: Since therefore in Actions pra-
 “ ctically criminal, a Power of the Sword is permit-
 “ ted here, where it is denied, the Crime must
 “ be, not in things practically criminal, but intel-
 “ lectual, that is, in Matters properly *heretical*.
 “ And this Interpretation is confirmed by the
 “ Reason of the Prohibition, which is this, *lest*
 “ *we also pull up the Wheat with them*, that is, “ lest
 “ we, by our Mistake, destroy those Persons, who,
 “ notwithstanding their Ignorance or Error in some
 “ unnecessary Points of Faith, may be good Men;
 “ we being not so able to discern whether they
 “ err through Obstinacy or Perverseness, or only
 “ through Ignorance or Weakness, as we are to
 “ discern the outward Actions of the vicious Per-
 “ son, which deserve to be punished. Secondly,
 “ For Explication of this Precept, it will be ne-
 “ cessary to enquire, what it is *to gather up these*
 “ *Tares*; now *Christ* himself informs us, that it
 is the same to gather up, and to root the Tares
 out of the Field, in which the Enemy had sown
 them, that Field is, saith our *Saviour*, *the world*,
 and therefore to root these Tares out of this Field,
 is to destroy them out of the World. “ The Pro-
 “ hibition therefore lies against the use of the
 “ *temporal Sword* in cutting off these Persons.”
 Accordingly St. *Chrysostom* concludes, * that *Here-*
ticks are not to be cut off. *Theophylact* upon the
 Place declares, † that *God permits not Hereticks to*

* Οὐ γὰρ δεῖ ἀναιρεῖν αἱρετικούς, &c. To. 2. pag. 297.

† Ὁ Θεὸς ἔσυχωρεῖ τὰς αἱρετικὰς διὰ πολέμων ἀναλί-
 σκεας, ἵνα μὴ συμπάθωσι, καὶ σωαλίσκωνται καὶ οἱ δίκαιοι.
Theophyl. in locum. be

be consumed by Wars, lest the Just should perish with them. The Observation of St. Austin is this, that
 “ * our Lord, speaking to his Servants, saith not,
 “ in the Time of the Harvest I will say to you ; but
 “ I will say to the Reapers, whence, saith he, we
 “ may learn that the Work of gathering the Tares
 “ to burn, belongs to other Ministers, and that
 “ no Son of the Church ought to conceive that
 “ Office doth belong to him. When the Ser-
 “ vant sees so many Falsities of *Herefies*, he may
 “ have a Desire, saith he, that such Men should
 “ be taken out of the World, but then he con-
 “ sults the Justice of God, whether he commands,
 “ or permits, or would have this to be the Du-
 “ ty of Men. Hence the Servants say, Wilt thou
 “ that we gather up the Tares ? To whom he,
 “ who is Truth it self, answers, That such Men
 “ are not to be taken out of the World, lest
 “ whilst Men endeavour to kill the Bad, they
 “ also kill the Good, or such perhaps as would
 “ be such. But this would commodiously be done
 “ when, at the End of the World, there remains

* Dicam, inquit, Messoribus, unde intelligitur colligendorum zizaniorum ad comburendum alia esse ministeria, nec quenquam Ecclesiæ filium, N.B. debere arbitrari ad se hoc officium pertinere. ---- potest ei suboriri voluntas, ut tales homines de rebus humanis auferat, si aliquam temporis habeat facultatem, sed utrum facere debeat, justiciam Dei consulit, utrum hoc ei præcipiat vel permittat, & hoc officium esse hominum velit, hinc est quod Servi dicunt, Vis imus & colligimus ea ? quibus Veritas ipsa respondet ---- non esse tales auferendos de hac vita nè cum malos conatur interficere, bonos interficiat, quod fortè futuri sunt, ---- sed tunc opportunè fieri cum jam in fine non restat vel tempus commutandæ vitæ, vel perficiendi ad veritatem, &c. an fortè ideo simul eradicatur triticum cum auferuntur zizania, quia multa primo zizania sunt, & postea triticum sunt, qui nisi patienter, cum mali sunt, tolerantur ad laudabilem permutationem non perveniant, itaque si evulsi fuerint, simul eradicabitur & triticum, quod futuri essent, si eis parceretur. *August. Quæst. ex Matth. lib. un. cap. 12. To. 4. p. 366, 367.*

no more Time for Change of Life: And perhaps, *saith he*, therefore the *Wheat* is rooted up with them when the *Tares* are taken away, because many are first *Tares*, and afterwards *Wheat*, who, unless they are patiently born with when they are bad, come not to a laudable Change; and therefore, if they be plucked up, the *Wheat* will be plucked up with them, because they would have been such had they been spared." *Euthymius*, on the Place *saith*, "That by the Harvest our Lord understands the End of the World, and therefore commands his Servants that they should suffer the *Hereticks* to live with them, *non ablatos quidem, sed separatos*, though separated from them, it being likely that before that Time many of them may be converted.

2. It is urged by our Divines, "That when our *Saviour* went about to make Profelytes, he offered Violence to no Man, only he said, If any Man *will be my Disciple*, if any Man *will come to me*; and that when his Disciples were leaving him, he did not set up an *Inquisition* to torture them for their Defection from the Faith, only said, *Will ye also go away?*" And the same Argument is twice produced by St. *Athanasius* against the persecuting *Arians*, "* The Devil, *saith*

* Οὕτως ὁ μὲν Διάβολος, ἐπεὶ μηδὲν ἀληθὲς ἔχει, ἐν πελέκει καὶ λαξευσιμῶ ἐπιβαίνων κατέδασε τὰς θύρας τοῦ διχομύων αὐτῶν· ὁ δὲ Σωτὴρ ἔτις ἐστὶ πρᾶτος ὡς διδάσκειν μὲν εἴ τις θέλει ὀπίσω με ἐλθεῖν, καὶ ὁ θέλων εἰσαί με μαθητὴς, ἐρχόμενον δὲ πρὸς ἑκάστον μὴ βιάζεται, ἀλλὰ μᾶλλον κρείν τε καὶ λέγειν, ἀνοιξόν μοι ἀδελφεῖ με. νύμφη, καὶ ἀνοίγοντων μὲν εἰσέρχεται, ὀκνούντων δὲ καὶ μὴ θελώντων ἐκείνων, ἀναχωρεῖ· καὶ ὅς τις ἐξοφείν ἢ βέλυσιν ἐδὲ διὰ στρατιῶν ἢ ἀλήθεια κατὰ γέλλεται, ἀλλὰ πεθεοῖ, καὶ συμβουλία. *Athanas. Epist. ad solit. vitam agentes, p. 830. 131.* And p. 855, Θεοσεβείας μὲν ἴδιον μὴ ἀναγκάζειν, ἀλλὰ πεθεῖν, καὶ ὅς ὁ Κύριος αὐτὸς ἐβιάζετο. ἀλλὰ τῇ περαιρέσει διδόν, ἔλεγε πᾶσι μὲν, εἴ τις θέλει ὀπίσω με ἐλθεῖν, τοῖς δὲ μαθηταῖς, μὴ καὶ ὑμεῖς θέλετε ἀπελθεῖν.

“ he, because he has no Truth in him, invades
 “ the Doors of them who receive him with an
 “ Ax and Hatchet; our Saviour on the contrary
 “ is mild, and saith, If any Man will follow
 “ me, and be my Disciple; and when he comes
 “ to any one, he doth not offer Violence, but
 “ only knocks, and saith, Open, my Sister, my
 “ Spouse. And if they open, he enters, if not,
 “ he departs, for Truth is not to be preached
 “ with the Sword and military Preparation, but
 “ by Counsel and Perswasion. And again, our
 “ Lord himself not offering Violence, but giving
 “ place to human Choice, said to all, If any Man
 “ will come after me; and to his Disciples, Will
 “ ye also go away? This Heresy therefore, which
 “ is perfectly repugnant to Piety, what should it
 “ do, but that which is contrary to our Savi-
 “ our? ”

§. V. The Reasons against this Deportment
 towards *Hereticks* are also very cogent, but they
 are so incomparably managed by Dr. Taylor, in
 his immortal Book, stiled *The Liberty of Prophe-*
cyng, that 'tis not easy to add any thing of mo-
 ment to them. I therefore only shall take notice

§. 13. Num.
 12.

of one Passage in him, viz. “ That it is one of
 “ the Glories of *Christianity*, that it came in upon
 “ the World with no other Force but that of
 “ Reason and Demonstration of the Spirit; that
 “ towards the Persons of Men 'twas always full
 “ of Meekness, Charity, Compliance, Tolerati-
 “ on, Condescension and Forbearance, *restoring*
 “ Persons overtaken with an Error, *in the Spirit*
 “ *of Meekness*: Now Things are best preserved
 “ by that which gives them their first Being, and
 “ which agrees best with their Temper and Con-
 “ stitution; and it would be a mighty Disparage-
 “ ment to so glorious an Institution, that in its
 “ Principle it should be merciful and human, and

“ in

“ in the Propagation of it so inhuman ; and it
 “ would be improbable and unreasonable, that
 “ the Sword should be used in the Perswasion of
 “ one Proposition, and yet in the Perswasion of
 “ the whole nothing like it : To do so may serve
 “ the End of a *temporal Prince*, but never pro-
 “ mote the Honour of *Christ’s Kingdom*.

§. VI. Moreover, this bloody, persecuting Temper, as it is contrary to *Scripture*, so also doth it flatly contradict the *Principles* and *Practise* of the *Antient Church*, and of the *Primitive Professors* of the *Christian Faith* ; it is repugnant to many *Principles* which then obtained amongst *Christians*. For Instance ;

1. It was a Principle which generally obtained among *Christians* till the Days of *Constantine*, and afterwards continued to be maintained by many *Fathers* of the *Church*, viz. “ That Men were to
 “ be left to their Freedom in Matters of Religion,
 “ and not to be compell’d by outward Punish-
 “ ments to the Profession of it. * This, Saith
 “ *Tertullian*, is the natural Right of all Men, to
 “ worship what they think fit. It is no Business
 “ of Religion to compel Men to Religion ; for
 “ that, saith he, must be embraced willingly, and
 “ not of Force. Consider, saith the same *Tertul-*
 “ *lian*, whether this do not add to your Irreligi-
 “ on, to forbid the Freedom of Religion, and in-
 “ terdict the Choice of a Deity, that I may not
 “ worship whom I will ; but must be compell’d
 “ to worship whom I would not.

* *Humani juris, & naturalis potestatis est, unicuique quod putaverit colere, --- sed nec Religionis est cogere Religionem, quæ spontè suscipi debeat, non vi. Tertull. ad Scap. cap. 2. Videte, nè hoc ad irreligiositatis elogium concurrat, adimere libertatem Religionis, & interdicere optionem Divinitatis, ut non liceat mihi colere quem velim, sed cogar colere quem nolim, Apol. cap. 24.*

* “ Who may impose upon me, *saith Lactantius*, a Necessity either of worshipping what I would not, or of not worshipping what I would? What have we farther left, if another’s Lust may extort from us that which ought to be done freely? There is here no need of Force or Injury, *saith he*, for Religion cannot be compell’d, you must use Words, not Stripes to make Men willing. Why therefore are Men cruel, that whilst they endeavour to diminish, they may augment their Folly? Torments and Piety extreamly differ; nor can Religion consist with Force, or Justice be conjoin’d with Cruelty. For nothing is so voluntary as Religion, in which, if the Mind of the Sacrificer be averse, the Religion is lost, and none at all.”

† “ The Epistles of the *Arians*, *saith Hilary*, what do they do, but deprecate the Liberty of

* Quis imponat mihi necessitatem vel colendi quod nolum, vel quod velim non colendi? Quid jam nobis ulterius relinquatur, si etiam hoc, quod voluntate fieri oportet, libido extorqueat aliena? *Lactant. l. 4. cap. 13, & c. 19.* Non est opus vi & injuria; quia Religio cogi non potest, verbis potius quam verberibus res agenda est, ut sit voluntas — Quid ergo sapiunt? Ut stultitiam suam dum minuere volunt, augeant? Longè diversa sunt carnificina & pietas, nec potest aut veritas cum vi, aut justitia cum crudelitate conjungi. Nihil est enim tam voluntarium quam Religio, in qua si animus Sacrificantis aversus est, jam sublata, jam nulla est.

† Quid aliud his literis quam libertatem fidei, & contagionem *Ariani* nominis deprecantur, orantque vincula, carceres, tribunalia, &c. Deus cognitionem sui docuit, potius quam exegit, & operationum coelestium admiratione præceptis suis concilians auctoritatem, coactam confitendi se aspernatus est voluntatem, si ad fidem veram istiusmodi vis adhiberetur, Episcopalis doctrina obviam pergeret, diceretque, Deus universitatis est, obsequio non eget necessario, non requirit coactam confessionem, non fallendus est, sed promerendus, simplicitate querendus est, confessione discendus est, charitate amandus est, timore venerandus est, voluntatis probitate retinendus est: At verò quid istud quod Sacerdotes timere Deum vinculis coguntur, poenis jubent

“ *Faith,*

“Faith, and beg for Bonds, and Prisons, and
 “Tribunals, and all that is pernicious; where-
 “as God rather taught, than exacted the Know-
 “ledge of himself, and ascertaining the Autho-
 “rity of his Commands by Works of Power, de-
 “spised all compell’d Confession of himself. If
 “such Force should be used to compel your
 “Faith, (saith he to the *Arians*) * the Episcopal
 “Doctrine would oppose it, and would say, *God*
 “is the *God* of the whole World, he needs no
 “compell’d Obedience, nor requires any such
 “Confession of him; he is not to be deceived,
 “but well-pleased. God is to be sought with
 “Simplicity, learnt by Confession, loved by Cha-
 “rity, worshipp’d by Fear, retained by Probity
 “of Will; whence it is (therefore) that Priests
 “are compell’d by Bands, and commanded by
 “Punishment to fear *God*? That they are there-
 “fore imprisoned, &c. Therefore do ye labour
 “and rule the Commonwealth with salutary Coun-
 “cils, saith he to the *Emperour*, that all under
 “your Government may enjoy the sweetest Li-
 “berty, there is no other way to compose our
 “Troubles; let (then) thy Lenity permit the
 “People to hear them teaching whom they would
 “hear, whom they think meet, whom they
 “chuse.”

2. They also thought it an indecent and un-
 worthy Thing to call in the *Secular Arm* for the
 assistance of Religion, and for the Punishment of

tur? Sacerdotes carceribus continentur, &c. Hilar. lib. ad Con-
 stantium Augustum, pag. 338, 339, 340.

* Idcirco laboratis & salutaribus consiliis Rempublicam regitis,
 --- ut omnes quibus imperatis dulcissimâ libertate potiantur.
 Non aliâ ratione quæ turbata sunt componi, quæ divulsa sunt
 coerceri possunt, --- permittat lenitas tua populis ut quos volu-
 erunt, quos putaverint, quos elegerint, audiant docentes, Pag.
 338.

Errors in Religion, or Affronts offered by them to the Deity. St. Hilary, in his Book against Auxentius of Milan, represents them who did this, not as the Bishops of Christ, but the Servants of Antichrist. “ And * first, saith he, we ought
 “ to pity the Labour of our Age, and groan at
 “ the fond Opinions of the present Times, in
 “ which Men think to defend God by Men, and
 “ labour to preserve the Church of Christ by Secu-
 “ lar Ambition. I beseech you Bishops, who con-
 “ ceive your selves to be so, What Suffrages did
 “ the Apostles use in Preaching of the Gospel?
 “ And by what Powers were they assisted when,
 “ Preaching Christ, they converted the Heathen
 “ World from Idols to God? Did they assume to
 “ themselves any Authority from the Palace,
 “ when they sang Hymns to God in Prison? Did
 “ Paul gather a Church to Christ by the King’s
 “ Edict, who was himself a Spectacle in the The-
 “ atre? Did he defend himself by the Protection

* Ac primum misereri licet nostræ ætatis laborem, & præ-
 sentium temporum stultas opiniones congemiscere, quibus pa-
 trocinari Deo humana creduntur, & ad tuendam Christi Eccle-
 siam ambitione seculari laboratur. Oro vos, Episcopi, qui hoc
 vos esse creditis, quibusnam suffragiis ad prædicandum Evan-
 gelium Apostoli usi sunt? Quibus adjuti Potestatibus Christum
 prædicaverunt, gentesque ferè omnes ex Idolis ad Deum tran-
 stulerunt? Anne aliquam sibi assumebant è Palatio dignitatem,
 hymnum Deo in carcere, inter catenas & flagella cantantes?
 Edictisque Regis Paulus Christo Ecclesiam congregabat? Nero-
 ne se, credo, aut Vespasiano, patrocinantibus, tuebatur, quorum
 in nos odiis confessio divinæ prædicationis effloruit? At nunc,
 proh dolor! divinam fidem suffragia terrena commendant, in-
 opsque virtutis suæ Christus, dum ambitio nomini suo concilia-
 tur, arguitur. Terret exiliis & carceribus Ecclesia, credique sibi
 cogit, quæ exiliis & carceribus credita est, pendet à dignatione
 Communicantium, quæ persequentium est consecrata terrore,
 fugat Sacerdotes, quæ fugatis est Sacerdotibus propagata, dili-
 genter gloriatur à mundo, quæ Christi esse non potuit, nisi eam
 mundus odisset. Idem Epist. ad Auxentium, p. 347.

“ of

“ of Nero, or *Vespasian*, by whose Hatred against
 “ us the Preaching of our Faith then flourished?
 “ But now, which is to be lamented, earthly Suffra-
 “ ges commend divine Faith, and *Christ* is repre-
 “ sented as destitute of his Power, whilst the Fa-
 “ vour of Men is purchased in his Cause. The
 “ Church terrifies by Exiles and Prisons; she
 “ compels Belief, which was believed in Exiles
 “ and Prisons; she which was consecrated by
 “ the Terror of Persecutors, depends upon the
 “ Favour of them who communicate with her;
 “ she puts to flight Priests, which was propaga-
 “ ted by Priests put to flight; she glories that
 “ she is beloved by the World, which could not
 “ be the Church of *Christ*, if the World did not
 “ hate her.

The Plea of *Heathens* for their Cruelty against
 the *Christians* was to this effect, *That they did pu-
 nish Christians, to revenge the Injuries done by their
 Faith and Doctrines to their Gods.* This, say the
Antient Fathers, is a ridiculous and absurd Me-
 thod of Proceeding, and you ought rather to
 leave the Sacrilegious and Impious Transgressors
 of their Law, to the Vengeance of your *Gods*.
 For, * “ If your *Deities* have any Power, saith
 ‘ *St. Cyprian*, let them rise up, and vindicate
 ‘ themselves, and by their Majesty defend them-
 ‘ selves; for what can they do for those that
 ‘ worship them, who cannot vindicate themselves
 ‘ from those who do not worship them?’ †
 ‘ Is it so, saith *Arnobius*, that the *Gods* desire the

* Si quid diis tuis numinis & potestatis est, ipsi in ultionem
 suam surgant, ipsi se sua majestate defendant; aut quid præstare
 colentibus possunt, qui se de non colentibus vindicare non pos-
 sunt? *Cyprian. ad Demetr. §. 12.*

† Ergo humana patrocina dii quærunt? & nisi vestra fuerint
 assertione protecti, idonei non sunt ipsi qui propulsare, defendere
 suas valeant contumelias. *Arnob. l. i. p. 11.*

‘ Protection of Men? Are they not able without
 ‘ your asserting of their Cause, to defend them-
 ‘ selves, and to repel the Calumnies of us *Christi-*
 ‘ *ans?*’ * ‘ When the *Heathens* punish the Sa-
 ‘ *crilegious*, saith *Lactantius*, they distrust the Pow-
 ‘ er of their *Gods*, for if they think they can do
 ‘ any thing, why do they not leave them to exe-
 ‘ cute their own Vengeance on such Persons?

3. Another Principle, though not so gene-
 rally embraced, yet taught by many eminent Af-
 sertors of the *Christian Faith*, was fundamentally
 repugnant to this cruel Butchery, viz. *That their*
Religion did not permit them to kill, or, even to be-
hold the shedding human Blood. It was objected to
 them by the *Heathens*, that in their Meetings they
 murdered little Children, and did feast upon their
 Flesh and Blood. This, say the *Fathers*, is a thing
 impossible, because the *Christian Faith* doth not
 allow of *Murther*, or *Shedding human Blood.* †

‘ We are so far from Killing Men, saith *Mini-*
 ‘ *cus*, that ’tis not lawful for us to behold Man-
 ‘ *slaughter.*’ ‖ ‘ Can any Man, saith *Athenago-*
 ‘ *ras*, object to them that they kill Men, who, as
 ‘ they know, dare not see a Person justly slain?’
 ‘ ** It is in no Case lawful to destroy Men,

* Cùm puniunt deprehensos in Sacrilegio, ipsi de deorum su-
 orum potestate diffidunt, cur enim illis non relinquunt ulciscen-
 di sui locum, si eos posse aliquid arbitramur? *Lact.* l. 2. c. 4.

† Nobis Homicidium nec videre fas, nec audire. *Min.* p. 34.

‖ Οὐδὲ γὰρ ἰσασιν εἶν’ ἰδεῖν, καὶ δικαίως φονδύμιον, κα-
 μύροντας, τέταν τις αὖ κατέποι ἢ ἀνδραπορία, ἢ ἀνθρωπο-
 βοείαν. *Athenag.* Legat. p. 38.

** Ergo si Homicidium facere nullo modo licet, nec interesse
 omnino conceditur, nè Conscientiam perfundat ullus cruor, *Lact.*
 l. 6. c. 20. In hoc Dei præcepto nullam prorsus exceptionem
 fieri oportet, quin occidere hominem fit semper nefas, quem Deus
 sanctum animal esse voluit, *Ibid.* Neque accusare quenkum cri-
 mine capitali justo licebit, quia nihil distat utrùmne ferro, an
 verò potius, occiso ipsa prohibetur, *Ibid.*

‘ saith

' faith *Lactantius*, or to be present where they
 ' suffer, lest the Blood stain the Conscience;
 ' there is no Exception from this Precept, for it is
 ' always a Wickedness to kill that Man whom
 ' God hath made Sacred. A just Man therefore
 ' will accuse no Man of a capital Crime, it being
 ' all one to kill Men with our Words or with
 ' our Swords.' ' The Servant of the Lord, faith
 ' * *Tertullian*, may not judge in capital Causes,
 ' he may not condemn as a Judge or a Law-
 ' maker; he may bind, imprison, torture no
 ' Man. Will he, who doth not revenge his own
 ' Injuries, inflict on others Bonds, Prisons, Tor-
 ' ments, Punishments?' ' If Christian Religion,
 ' faith † *Origen*, had received its Rise from Se-
 ' dition, as *Celsus* faith, surely their Legislator
 ' would not have forbid them to kill Men, teach-
 ' ing, that Action was unjust which his Disciples
 ' did attempt upon the most wicked Person, *Mat.*
 ' 26. 52. for he perceived it unbecoming his di-
 ' vine Laws, any way to yield to the Death of a
 ' Man; nor would the Christians, had they had
 ' their Beginning from Sedition, admitted such
 ' mild Laws as give them up to be slain like

* *Fidelis neque judicet de capite alicujus, vel pudore, neque damnet, neque prædamnet; neminem vinciat, neminem recludat aut torqueat, Tertul. de Idololat. cap. 17, & 19 Et prælio operabitur filius pacis, cui nec litigare conveniet? Et vincula, & carcerem, & tormenta, & supplicia administrabit, nec suarum ultor injuriarum? De Corp. cap. 11.*

† *Εἰ εἰς αἰσῖς ἢ σὺς αἰσῖς χειριστοῖς αἰτία, --- ἐκ ἂν ὁ νομοθέτης χειριστῶν πᾶν ἂν ἀνδρείων ἀνθρώπων ἀπηνόησε, μήποτε δίκαιον ἔστι διδάσκων τὸ κατ' ἀνθρώπου τόλμημα ἢ ἑαυτὸς μαθητῶν, καὶ ἀδικῶν τὸ ἐκείνῳ ἢ --- ἢ ὅτι πρὸς τὴν ἡγεῖτο τῇ ἐνδεῶ ἑαυτὸς νομοθεσία τὸ συσχεῖν ὅποιαν δὴ ποιεῖ ἀνθρώπων ἀνδρείων, ἔτι ἂν χειριστοῖς οἱ ὑπὸ εἰσῖς ἀρξάμενοι, τὸς ἐπὶ τοσούτον ἡμέρας περὶ ἡμῶν νόμος δι' ὧν ἄς πρὸς βᾶτα μὲν ἀναιρεῖται αὐτοῖς ἐγγίγνεται, μὴ δὲ ποτε ἀμύνασθαι οἱσὶ ἴσαν τὸς διώκοντας, Orig. contra Celsum, l. 3. p. 115.*

' Sheep,

‘ Sheep, and will not suffer them to help themselves against their Persecutors, or to repel Injuries.

Let then our *Adversaries* judge whether these *Principles* can be consistent with the *Doctrines* of their general *Councils*, and with their Practice of burning and destroying all whom they call *Hereticks*, and binding *Christian Magistrates* to do so? Whether these *Fathers* do not expressly teach, that their Proceedings against *Hereticks* are *irreligious, inconsistent with Religion and Justice, opposite to the Episcopal Doctrine, ridiculous, absurd, and Matters of just Lamentation?* Whether they do not say, that their Severity in this kind is a *Conviction of their Folly*, and that they, by promoting it, do act not like *Christ’s Bishops*, but the *Servants of Antichrist?* Whether they, who thought that *Men were to be left to their Freedom in Matters of Religion*, and not to be compell’d by corporal Punishments to the Profession of it, would have approved of the compulsory Decrees of *Roman Councils?* Whether they, who thought it unworthy of the *Christian* to call the *Secular Arm* to their Assistance, were of their Religion, who by Oaths and Excommunications, and other grievous Penalties, oblige the *Magistrate* to persecute? Whether they, who thought it utterly unlawful to shed human Blood, believed that *Christianity* allowed the *Murdering* of *Hereticks*, or could approve those *Sanguinary Laws* which they have executed throughout all *Regions* of the World, where their Religion hath prevailed, destroying many hundred thousand Souls only for keeping a good Conscience?

§. VII. Moreover, this Method of Exterminating *Hereticks* is condemn’d expressly by the *Holy Fathers*, and represented as a Practice fit only for the *Heathen* and the *Heretick*, but most unworthy of any *Orthodox Professor of Christianity*. ‘ We
‘ may

' may hate them that hate God, saith the *
' *Interpolator of Ignatius*, but we must not beat or
' persecute them, as do the Gentiles which know
' not God. We must separate from them, and
' admonish them, if haply they will hear and rest
' satisfied, for our God is a Lover of Mankind,
' and would have all Men to be saved, and come
' to the Knowledge of the Truth; on which
' Account, he causeth his Sun to rise upon the
' evil and the good, and rains upon the just and
' the unjust; and, being desirous that we should
' imitate this his Goodness, he saith, Be you per-
' fect as your heavenly Father is perfect: This
is there spoken concerning *Schismatics, false Preach-*
ers, Men of false Opinions, Foxes, and Corrupters of
the Vine, and therefore certainly of *Hereticks*. †
Lactantius saith thus, ' Religion is to be defend-
' ed, not by killing, but by dying for it, not by
' Cruelty, but by Patience; so good Men do de-
' fend it: But wicked Men, by Cruelty and Mur-
' ther. If you go about, saith he, to defend Re-
' ligion by Blood and Torments, you do not defend,
' but pollute and violate it.

The Holy Synod of *Alexandria*, consisting of
the *Bishops of Ægypt, Thebes, Lybia, and Pentapolis*,
lament the Practice of the *Arians*, who had di-
rected an accusatory Epistle to the *Emperors*, which
stirr'd them up to inflict *Death*, or at the least

* Τὸς μισῶντας ἐν τῷ Θεῷ μισῶν χρὴ, — — — μὲν καὶ τύπιν
ἀντὶς ἢ διακριν, καθὼς τὰ ἔθνη τὰ μὴ εἰδότα τὸ Κύριον καὶ
Θεόν, ἀλλ' ἐκθεῶς μὲν ἠγάπα καὶ χαρίζεσθαι αὐτοῖς, &c.
Pseudo-Ignat. Epist. ad Philadelph. Ed. Uss. p. 95.

† Defendenda est Religio, non occidendo, sed moriendo, non
sevitia, sed patientia, — — — illa enim malorum sunt, hæc bono-
rum, & necesse est bonum in Religione versari, non malum,
nam si sanguine, si tormentis, si malo Religionem defendere ve-
lis, jam non defendetur illa, sed polluetur, atque violabitur, *Lact.*
l. 5. c. 20.

Banishment upon Athanasius, * ‘ This, say they, is just Matter of Lamentation, these being Works so averse from Bishops, who should teach others the way of Justice, that even the meanest Christians, and scarcely Heathens, would be guilty of them; and this the Conscience of you Catholick Bishops throughout the World, to whom we write, very well knows.

Athanasius, having declared how the *Arians* spake thus to *Constantius* the *Emperor*, † ‘ Thou seeest how all Men desert us, few remaining, therefore begin a Persecution, that we be not deserted by those few:’ And speaking of the Influence this Persecution had upon some fearful *Bishops*, saith thus, ‘ If it were unbecoming Bishops to change their Opinion out of Fear, yet was it far worse for them to compel Men unwillingly to change their Judgments, and an Evidence that they distrusted their own Cause; this, saith he, is to act like the Devil, and un-

* Οὐ τὰ παρ’ Ἀθανασίου, ἀλλὰ ἐὰ παρ’ αὐτῶν γινόμενα ἐδύρεσθαι χρεὶ, πᾶσα γὰρ αὐτῶν ἐπιστολὴ ἐδὲν ἄλλο ἢ πρὸς θάνατον ὁρᾷ, καὶ φονεύειν ἐπιχειροῦσιν, ἐὰν συγχωρήσῃται, καὶ ποιεῖν ἐξουσίους ταῦτα γὰρ ὅτι μηδὲ φίλων χειριστῶν ἔργα, ἀπαίτως ὅ καὶ ἐθνικῶν, μήτιγε ἐπισκοπῶν δοκέρων, καὶ τὰς ἄλλας τὰ δίκαια διδάσκον, συνοροῦν, ὑμῶν δὲ ἐν χειρὶ σιωπῶσιν, ἡγάμεθα. Apud Athanas. Apol. ad Imperat. Constant. p. 723.

† Ὅρας πάντας ἀποδείξας ἀπ’ ἡμῶν, ὀλίγοι λοιπὸν ἀπείρηται, ἀρξαι δέουσαν. ἔπειτα καὶ παρὰ τῶν ὀλίγων ἀριστεύουσα, καὶ μένουσιν ἔρημοι. Athanas. Epist. ad Solitariam vitam a-gentes, p. 815. Εἰ δὲ καὶ ἀπρεπὲς τὸ ὅπως ἐπὶ τέτοις φοβηθέντας τινὰς τῶν ἐπισκοπῶν μεταθέσθαι, ἀλλὰ μᾶλλον ἀπρεπότερον, καὶ ἐξ ἀρρέντων οἷς πεπισθίνασι, τὸ βιάζεσθαι, καὶ ἀναγκάζειν τὰς μὴ βουλόμεν, ἕως ὃ μὲν Διάβολος, δεσποία ἐν παιδῶ ἐνθα βασιλεύει φόβος; ἢ ποία συμβουλία ἐν ἧ ὁ ἀνθιπέλεως τὸ τέλος ἐξουσιμὸν ἔχει καὶ θάνατον; αὐτὸς δὲ λόγον ἐκ ἔχων μετ’ ἐξουσίας πάντας βιάζεσθαι, ἵνα δειχθῇ πάντιν ὅτι ἡ φρόνησις αὐτῶν ἐκ ἐστὶ κατὰ Θεοῦ, ἀλλ’ ἀνθρώπιν, pag. 830, 831.

like

like our Saviour, who never used Force, but Perswasion only, for the Truth must not be taught by Swords, and Weapons, and Soldiers; but by Perswasion and Consultation: Now what Perswasion is there where there is Fear of the King? What Consultation, where he that contradicts must suffer Banishment or Death?—by this Compulsion it appears, *saith he*, that their Wisdom is not according to God, but meerly human: As for other Heresies, *saith he*, they being convinced by Demonstrations, are silent, and do nothing but blush at their Conviction; but this new and execrable Heresy of the *Arians*, when it is overthrown by Reason, when by Truth it is put to shame, it endeavours to draw them by Force, Stripes and Imprisonments, whom it could not persuade by Words, and so doth manifest it self to be nothing less than Pious; for it is the Property of true Religion not to compel, but to persuade, as we have said already: ---For our Lord himself, not offering Violence, but giving place to human Choice, said to all, If any Man will come after me; and to his Disciples, Will ye also go away? This Heresy therefore which is perfectly repugnant to Piety, what should it do but that which is contrary to our Saviour? 'There are some things for which we must fight valiantly, *saith*

* Καὶ αἱ μὲν ἄλλαι αἵρεσεις ἐλεγχόμεναι ἢ ἀποδείξεσιν ὑπ' αὐτῆς τῇ ἀληθείᾳ σιωπῶσι, μηδὲν πλέον ἢ ἐντροπίζουσαι τοῖς ἐλέγχουσιν, ἢ ὅτι νέα καὶ μυσταὶ τέλων αἵρεσεις ὅταν ἀναβραβηθῇ τοῖς λόγοις ὅταν ὑπ' αὐτῆς τῇ ἀληθείᾳ ἀντιμαρτυρήσῃ, λοιπὸν οὐκ ἔστιν ἀλλοτρίως πᾶσι λόγοις, τέλει τῇ βίᾳ, καὶ πληγαῖς, καὶ δεσμοφονεῖς ἐλκεῖν ἐπιχειρεῖ, γνωρίζουσα ἐαυτῇ καὶ ἕτως ὡς πάντα μᾶλλον δεῖ ἢ θεοσεβείας μὲν γὰρ ἴδιον, δεῖ αὖτε ὅτι πανήλικος ἀλλοτρία τῇ θεοσεβείᾳ, τί ποιεῖν αὐτῇ ἐχρήθη ἢ ἐναντία τῇ Σωτηρίᾳ. *Athanas. ibid. p. 855.*

Gregory

* Gregory Nazianzen, viz. With Reasons, not with Arms, for to lift up our Hands against them (*that is against Hereticks*) is wholly contrary to our Profession, and must be left to them who hate us.

Saint Chrysostom, in his Exposition of the Parable of the Tares, speaks thus, † 'Wherefore doth Christ introduce his Servants, saying, Wilt thou that we pluck up the Tares? *his Answer is*, That he might tell them that it was unlawful to cut them off. They permit not themselves, *saith he*, to do this, but they expect the Sentence of their Lord, saying, Wilt thou have it done? Now he forbids them, saying, lest you root up the Wheat together with them; and this he said, forbidding Wars, and Blood, and Slaughters to be made; for 'tis not lawful to cut off the Heretick, though he is like to bring an irreconcilable War upon Earth. *Again*, by these Words, Lest you root up, he either saith, that

* Ὅτι τῶν τίνων καὶ πολεμῶν ἐκθύμως, λογικῶς, ἀλλ' οὐκ ὀπλιστικῶς, τὸ γὰρ καὶ χεῖρας ἀνίστασθαι, παύσειν, ἕξω δὲ ἡμετέρας αὐλῆς, καὶ τοῖς μισοῦσιν ἡμᾶς ἀπειπῶν. Orat. tertio pro Pace, p. 220, 221.

† Τίνων δὲ ἐνεκεν εἰσάγει τὰς δέλας λέγουσας τὸ γενησόμενον; ἵνα εἴπῃ ὅτι καὶ δεῖ ἀναρῆναι αὐτάς. -- καὶ γὰρ αὐτοῖς ὀπτρέπευσιν, ἀλλὰ τὸ δεσπότης τὸ γινώσκων ἀναμύσει, λέγουσας δέλας; τί γὰρ ὁ δεσπότης; κωλύει, λέγων μήποτε ἐκείζωσιντε ἅμα αὐτοῖς καὶ σίτον, τὸτο δὲ ἔλεγε κωλύων πολέμους γίνεσθαι, καὶ αἱματῆρας, καὶ σφαγὰς, καὶ γὰρ δεῖ ἀναρῆναι αἰρετικόν, ἐπεὶ πόλεμος ἀπονομιᾶς εἰς τὸ οἰκουμενικὸν ἐμελλεν εἰσάγεσθαι. -- διὸ τὸ μὴ ἐκείζωσιντε ἅμα αὐτοῖς καὶ σίτον, ἢ τὸτό φησιν ὅτι εἰ μέλλοιτε κινεῖν ὄπλα, καὶ κατὰσφάττειν τὰς αἰρετικὰς, ἀνάγκη πολλὰς καὶ κατὰ τὸν ἀγίον συγκαταβάλλεσθαι, ἢ ὅτι ἀπ' αὐτῶν καὶ ζιζανίων πολλὰς εἰκὸς μεταβάλλεσθαι, καὶ γίνεσθαι σίτον, ἀντοίνω, μεταβάλλεις ἑαυτὸς, ἐκείζωσιντε, λυμαίνεσθε τὸ μέλλοντι γίνεσθαι σίτω, ἕς ἐγχαρῆ μεταβάλλεσθαι, καὶ γένεσθαι βελτίους, ἀναρῶντες, καὶ τοίνυν κατέχουσιν αἰρετικὰς, καὶ ἐπισομίζουσιν, καὶ ἐκκόπτουσιν αὐτὰς καὶ παρρησίαν καὶ τὰς σωόδους, καὶ τὰς ἀπονομὰς διαλάττειν κωλύει, ἀλλ' ἀναρῶν, καὶ κατὰσφάττειν. In locum.

* if you go about to wage War, and slay the Heretick, it will necessarily happen that you will destroy many of the Saints with them, or that it may so happen that many of the Tares may be converted, and become Wheat; if therefore you prevent their being so, by rooting them up, you prejudice the future Wheat, by taking them away, who may be changed and become better. Christ here forbids us not to stop their Mouths; restrain and hinder their Boldness of Discourse, dissolve their Synods and Confederacies; but he forbids us to Kill, and cut them off. In his Homily against *Anathema's*, he permits us to * *anathematize the Heresy*, but commands us by all means to spare the Heretick: If saith he, *The Man remain contentious, and will not be reclaim'd, do thou only testify against him with Long-suffering and Goodness, that thy Judge require not his Life at thy hand, hate him not, persecute him not.*

Saint *Austin* vehemently condemns the inflicting capital Punishments upon Hereticks, and saith that all good Christians did agree with him in that matter. For when *Cresconius* had objected to the Orthodox, that they were instrumental to procure the Death of three Donatists, St. *Austin* answers, that † 'No good Man in the Catholic

* Τὰς μὲν αἵρέσεις διήλεγchon, καὶ ἀπέβαλλον, ἐδενὶ δὲ τῶν αἱρέσεων τῶν πρώτων ἐπιμίαν προσήγον. Tom. 6. p. 441. Τὰ δὲ αἱρέτικα δόγματα ἀναθεματίζειν χρὴ, πᾶσαν φειδῶ ἀνθρώπων ποιῆσαι. - p. 443. Εἰ δὲ μὴ βέλεθ, ἀλλ' ἐμὲ φιλονεικῶν. - Διαμάττει μόνον μετὰ μακροθυμίας, καὶ χρηστότητος, ἵνα μὴ τὸ ψυχρὸν αὐτῶ ἐκζητήσῃ ἐκ χειρὸς τοῦ Κεῖνους, pag. 441. lin. 31. &c.

† Nullis tamen bonis in Ecclesia Catholica hoc placet, si usque ad mortem in quenquam, licet hereticum, sæviatur, neque vero si longè è morte cujuslibet molestiis libido ulciscendi magis pro malo retribuatur, approbamus; multo amplius detestantur

‘ Church allowed the punishing of *Hereticks* with
 ‘ *Death*; and if the Lust of Revenge in any
 ‘ Person doth render *evil for evil*, we do not ap-
 ‘ prove of them, though their Punishments be
 ‘ much less than *Death*; much more do we de-
 ‘ test the *robbing* any of their private Goods, or
 ‘ taking away what belongs to them, though this
 ‘ be done for the procuring Unity: All these
 ‘ things displease good Men, they forbid, they
 ‘ hinder them as much as they can, judging
 ‘ them not laudable, but damnable.’ In his Book
De fide & operibus, he complains, that, || ‘ Some
 ‘ considering the Precepts of Severity by which
 ‘ we are commanded to correct the Unquiet, to
 ‘ look upon the *Contemner* of the Church as an
 ‘ *Heathen*, to separate the *scandalizing Member*
 ‘ from the *Body*, do so disturb the Church’s Peace,
 ‘ that they endeavour, before the time, to pluck
 ‘ up the *Tares*, and, being blinded with this *Er-*
 ‘ *ror*, are rather separated themselves from the
 ‘ *Unity of Christ*.’ Besides these Passages, he hath
 four several Epistles writ upon this very Subject,
viz. the 127th to *Donatus*, Proconsul of *Africa*;
 the 158th, 159th, to *Marcellinus* the *Tribune*; the
 160th to *Apringius*; in which we may observe,

es, si ex hac occasione, velut pro unitate conandi, concupita quis
 auferat aliena---hæc omnia displicent nobis, & ea prohibent, &
 cohibent quantum possunt, quantum autem non possunt, ferunt:
 &, sicut dixi, pro pace laudabiliter tolerant, non ea laudabilia,
 sed damnabilia judicantes. August. *contra Crescon. Grammat.*
 l. 3. cap. 50.

|| Quidam intuentes præcepta Severitatis quibus admonemur
 corripere inquietos, ut Ethnicum habere Ecclesiæ Contempto-
 rem, à compage corporis membrum quod scandalizat avellere,
 ita perturbant Ecclesiæ pacem ut conentur ante tempus separare
 zizania, atque hoc errore cæcati, ipsi potius à Christi unitate se-
 parentur. August. *De fide & operibus*, cap. 4.

1. The thing which he most earnestly requests, viz. * 'That the *Hereticks* may not be Kill'd, 'that they may be so corrected as not to be 'cut off, *Ep. 127.*' that 'They may not be punished with Death, *Ep. 158.*' that 'The Sword 'of Justice might not shed their Blood, *Ep. 160.*'

2. Observe the Importunity with which he urgeth his Request, *desiring, admonishing, interceding, Ep. 160.* Yea, † 'beseeching them by the 'Name of *Christ*, not to inflict this Punishment 'upon them, *Ep. 127.* And by the Mercies of '*Christ Jesus*, that they would neither do it, nor 'permit it to be done, *Ep. 159, 160.*' Declaring his great Solitude for the Prevention of it, *Ep. 159.* And professing that 'The *Orthodox* had 'rather dye themselves, than that this Punishment should be inflicted on the *Hereticks.*'

3. Observe the Persons for whom he thus pathetically intercedes, viz. the *Circumcellians*, who cruelly had shed the Blood of *Catholicks*, and had confess'd before these very *Magistrates*, that 'they 'had killed * *Restitutus*, a *Catholick Presbyter*; put 'out the Eye, and cut off the Finger of *Innocentius*,

* Vos rogamus ne occidantur. Sic eorum peccata compesce, ut sint quos poeniteat peccasse, *Ep. 127.* Poena sane illorum, quamvis de tantis sceleribus confessorum, Rogo te, ut præter supplicium mortis sit, *Ep. 158.* Tu ab eorum sanguine, etiam propter Christum, juridicum gladium cohibe, *Ep. 160.*

† Quod te per Jesum Christum, ne facias, obsecramus, *Ep. 127.* Obtestor fidem tuam quam habes in Christo, per ipsius Domini Christi misericordiam, ut hoc nec facias, nec fieri omnino permittas, *Ep. 159.* Per misericordiam Christi obsecro, *Ep. 160.* Necessitate nobis impactâ & indictâ, ut etiam occidi ab iis eligamus, quam eos occidendos vestris judiciis ingeramus, *Ep. 127.*

* Comperi plurimos eorum de homicidio quod in *Restitutum* Catholicum Presbyterum commiserunt, & de cæde *Innocentii* alterius Catholici Presbyteri, atque de Oculo ejus effuso, & de Digito præciso fuisse confessos, *Ep. 159, 160.*

‘ another *Presbyter*, *Epist.* 159, 160. they therefore had deserved Death as *Murtherers*, if not as *Hereticks*.

4. Observe the Reasons which moved him and others to be thus importunate, and with such Passion to entreat these *Hereticks* might not be punished with *Death*, viz. 1. † ‘ That they might not seem to be forgetful of *Christ’s* Command, to love their Enemies, and to pray for them, *Ep.* 127.’ 2. * ‘ Because this was that *Mildness* which became *Catholicks*, and which the Rules of *Christianity* required from them, commanding them not only to be gentle, but to make known their *Lenity* to all, *Ep.* 158, 159. 3. † Because the Person who inflicts, and the *Church* which permits these Punishments to be inflicted, would both have cause to fear the Judgments of God for this Cruelty. 4. * Because it was against their Conscience to allow of such Deportment towards these Men, *Ep.* 158, 160. 5. † Because they desired that these *Hereticks* and *Schismatics* might not inevitably perish, but might have Time to repent of their Sins, *Ep.* 127. 6. * Because this harsh Proceeding would deter the

† Ne obliviscamur quid nobis præceperit, pro cujus veritate ac nomine patimur, qui diligimus inimicos nostros, & oramus pro eis, *Ep.* 127.

* Non suffecit Apostolo monere ut mansuetudinem servemus, sed ut eam notam omnibus faceremus, *Ep.* 159.

† Time ergo nobiscum judicium Dei Patris, & commenda mansuetudinem Matris, cum enim tu facis, Ecclesia facit; propter quam facis, & cujus filius facis, *Ep.* 160.

* Propter conscientiam nostram rogo, *Ep.* 158. Ubi ponimus ipsam conscientiam ne malum pro malo, qui passi sunt, reddidisse videantur, *Ep.* 160.

† Ut sint quos poeniteat peccasse, *Ep.* 127. Tu inimicis Ecclesiae viventibus relaxa spacium poenitendi, *Ep.* 160.

* Si occidendos in his sceleribus homines putaveritis, deterrebis nos ne per operam nostram ad vestrum judicium aliquid tale perveniat, *Ep.* 127.

‘ *Catho-*

‘*Catholicks* from seeking the Protection of the
 ‘*Magistrate* against such Men, *Ep.* 127. 7. †
 ‘Because the contrary Mildness was expedient
 ‘for the *Catholick Church*, and the Cause which
 ‘they pleaded was the Cause of the *Church*, which
 ‘they could not desert, *Ep.* 159, 160. Lastly,
 ‘* Because the Passions of the Servants of God
 ‘would be polluted and dishonoured by the Blood
 ‘of their Enemies, *Ep.* 158, 160.’ And this he
 tells us was the Judgment of a whole *Council* of
 his Brethren, this was obtained by the Complaints
 of many other *Bishops* upon Occasion of the Mur-
 der of *Maximianus*, Bishop of *Vaga*, that the
 Cruelty of the *Donatists* should be punished, †
 ‘but not with capital Punishment, that *Christian*
 ‘*Meekness* might be preserved even towards the
 ‘unworthy.

If then the *Fathers* do assert that it is *Heathen-
 ish* to beat and persecute the Heretick, that it is that
 which Heathens scarce would do. That only wicked
 Men defend Religion by Cruelty and Torments? and
 that this way of defending it ought to be left to them.
 That they who endeavour to defend it by Blood and
 Torments, do pollute and violate it. That it is averse
 from *Bishops* and from all orthodox and pious *Christi-
 ans* to stir up *Christian Emperors* to inflict Banishment
 and Death on a Religious Account, and, contrary to
 our Profession, to lift up the Hand against the Here-
 tick. That it was worse to compel Men unwillingly
 to change their Judgments, than for others out of Fear

† Hoc Ecclesiæ Catholicæ expedire confessor, *Ep.* 159. Nec
 tamen sic Ecclesiæ causam desererem, *Ep.* 160.

* Ne passiones Servorum Dei Catholicorum, quæ prodesse de-
 bent ad exempla patientiæ, inimicorum suorum sanguine foeda-
 rentur, *Ep.* 158. *Ep.* 160.

† Non tamen Supplicio capitali, propter servandam, etiam cir-
 ca indignos, mansuetudinem Christianam, *Ep.* 50. p. 220.

to do it. That this is *Diabolical*, unlike our Saviour, and an *Evidence* that they who do so, distrust their own Cause; and that their *Wisdom* is not according to God, but meerly human. That it is contrary to Religion, and to our blessed Saviour. That 'tis unlawful to cut off the Heretick, though he be likely to bring an irreconcilable War upon the Earth. That Christ himself forbids it, and that to do it is to be unmindful of his Precepts, and of the Rules of Christian Faith. That they who do so may expect their Judge should require their Lives at their Hands, and should inflict his Judgments on them, and on that Church which doth permit it. That no good Catholick allowed the Punishment of Hereticks with Death, or Deprivation of their Goods, or with Punishments much less than Death. That these things were not laudable, but damnable; and that it was against their Conscience to approve of them. That they who act thus against Hereticks, are Disturbers of the Churches Peace, and separate themselves from the Unity of the Church. Lastly, That they had rather dye themselves, than Hereticks should be slain. I say, they who assert these things sufficiently condemn the Church of Rome, the Practice of that Church, and the Decrees of her most General Councils in this Point.

§. VIII. Moreover this Severity was as repugnant to the Practice of the *antient Church*, as to the Principles of her renowned Doctors. For, ' we do not desire, (saith * *Lactantius*), that any Man should worship our God against his Will, and if he doth not do it, we are not angry; we retain no Man against his Will in our Profession; for he who wants Faith and Devotion is unpro-

* Nos non expetimus ut Deum nostrum velint nolint colat aliquis invitus, nec si non coluerit irascimur, *Lact.* l. 5. cap. 20. p. 524. Nemo a nobis retinetur invitus, inutilis est enim Deo qui Devotione & Fide caret, cap. 19. p. 519.

fitable to God. The Synod of * *Alexandria* expressly saith, *That Bands and Slaughters were things repugnant to their Church; that Athanasius never delivered up any one to the Tormentor; that the Prison was never troubled with any one sent thither by him; our Priesthood, say they, or, our Administration of things Sacred, as it hath always been, so is it now, pure, and sanctified by no other Blood but that of Jesus.* And therefore when *Cresconius the Grammarian*, had objected to the *Orthodox* the Death of three, *Donatists*, *St. Austin* answers, that no good Men in the *Catholick Church* allowed of the punishing *Heretics* with Death, that they forbade and restrained it as much as they were able. Contra Crescon. Lib. 3. cap. 50.

† *Sulpitius Severus* doth inform us, that 'When the *Heresies* of the *Priscillians* sprang up, *Idacius* and *Ithacius*, thinking this Evil might be sup-

* *Σφαγαὶ ὃ καὶ δεσμοὶ τῇ ἐκκλησίᾳ ἡμεῶν ἀλλότεια*, &c. Apud *Athanas.* To. 1. p. 724.

† Tum verò *Idacius* atque *Ithacius* acrius instare, arbitantes posse inter initia malum comprimi: sed parum sanis consiliis, N. B. seculares Judices adeunt, ut eorum decretis Hæretici urbibus pellerentur. *Sulpit.* l. 2. § 62. Igitur post multa & fæda, *Ithacio* supplicante, elicitur a *Gratiano* tum Imperatore rescriptum, quo universi Hæretici excedere non Ecclesiis tantum aut urbibus, sed extra omnes terras propelli jubebantur. *Ibid.* Ubi *Maximus* oppidum *Trevirorum* *Victor* ingressus est, *Ithacius* ingerit preces plenas in *Priscillianum* & Socios ejus invidiæ atque criminum, --- ita omnes ad Regem deducti --- *Idacius* & *Ithacius* Episcopi, quorum studium in expugnandis Hæreticis non reprehenderem, si non studio vincendi plus quam oportuit certassent; Ac mea quidem sententia est, mihi tam reos quam Accusatores displicere. § 63, Tum *Martinus* apud *Treveros* constitutus non desinebat increpare *Ithacium* ut ab accusatione desisteret, *Maximum* orare, ut sanguine infelicium abstineret: satis superque sufficere ut Episcopali sententiâ Hæretici judicari, Ecclesiis pellerentur: novum esse, & inauditum nefas ut causam Ecclesiæ Judex seculi judicaret. Denique --- egregiâ autoritate a *Maximo* elicit responsum nihil cruentum in reos constituendum. Sed postea Imperator per *Magnum* & *Rufum* Episcopos depravatus, & a mitioribus consiliis deflexus --- censuit *Priscillianum* Sociosque ejus capitis damnari oportere. --- ita *Priscillianus* Capitis damnatus est, unâque cum eo *Felicissimus* & *Armenius-Latronianus* quoque, & *Eutrochia* gladio

pressed in the first Rise, went unadvisedly to the
 Civil Judges, desiring them to decree that the
 Hereticks might be expell'd the Cities. That
 when *Maximus* came to be Emperor, *Idacius*
 and *Ithacius* applied themselves to him against
 the *Priscillians*; on which account, saith *Sulpi-*
tius, the Accusers displease me as much as the
 Guilty.' Moreover he informs us, that 'Saint
 Martin, a Man, saith he, to be compared to
 the Apostles, reproved *Ithacius*, advised him to
 desist from his Accusation, and desired *Maxi-*
mus the Emperor to abstain from the Blood of
 the *Hereticks*, declaring, that it was sufficient,
 N. B. that being judged *Hereticks* by the Spi-
 ritual Sentence, they should be expell'd their
 Churches; and that it was a new and unheard of
 Wickedness, that a Secular Judge should deter-
 mine of the Cause of the Church, and that he
 obtained a Promise from *Maximus*, that nothing
 bloody should be done against them. That af-
 terwards the Emperor decreed, that *Priscillian*
 and his Companions should suffer capital Punish-
 ments, and that accordingly they did thus suf-
 fer; and so, saith he, Men most worthy to live,
 by a most vile Example, were either kill'd or
 exil'd.' He also doth inform us, 'That *Ithacius*,
 having procured this Wickedness, vainly with-
 drew himself from the Tryal of these Men.'
 In his third * Dialogue he informs us, that
 'After the Death of *Priscillian*, *Maximus* the

perempti---itum deinde in reliquos sequentibus judiciis, damna-
 tique *Asarinus* & *Aurelius* diaconus gladio --- hoc ferè modo ho-
 mines luce dignissimi pessimo exemplo, N. B. necati, aut exiliis
 multati: ceterum *Ithacius* videns quam invidiosum sibi apud
 Episcopos foret si accusato, etiam postremis Capitalium rerum ju-
 diciis astitisset, subtrahit se cognitioni frustra, callido jam scelere
 peracto. §. 64.

* *Maximus* Imperator, aliàs sane bonus, depravatus Consiliis
 Sacerdotum, post *Priscilliani* necem, *Ithacium* Episcopum, *Prif-*
 'Em-

Emperor, a Man otherwise good, being led aside by the Councils of some *Bishops*, did by his Kingly Power defend *Ithacius* and his Companions from being accused for this Crime. And that some *Bishops* were met at *Treves*, who, by communicating daily with *Ithacius*, had made his Cause their own, and had obtained of the *Emperor* a Decree to send some *Tribunes* armed with the Sovereign Power, into *Spain*, to enquire after the *Hereticks*, and to deprive them both of Life and Goods; that *St. Martin* laboured with great Care to prevent the Mission of these *Tribunes* into *Spain*, with the Power of the Sword, as being piously sollicitous not only to preserve the *Christians*, but even the *Hereticks* also from Death, and that, to accomplish this Work, he for a while consented to embrace the Communion of *Ithacius*, and his Party; that afterwards the good Man was troubled that he had communicated with them, and

illiani accusatorem, ceterosque illius Socios, vi Regiâ tuebatur, ne quis ei Crimini daret, opera illius cujuscumque modi hominem fuisse damatum, --- congregati apud Treveros Episcopi tenebantur, qui quotidie communicantes *Ithacio*, communem sibi causam fecerunt. Et jam pridie Imperator ex eorum sententia decreverat Tribunos mittere, summâ potestate armatos, ad Hispanias, qui Hæreticos inquirerent, deprehensis vitam & bona adimerent --- illa præcipua cura (*Martini*, sc.) ne Tribuni cum jure gladiatorum ad Hispanias mitterentur, pia enim erat sollicitudo *Martino*, ut non solum Christianos qui sub illa erant occasione vexandi, sed ipsos etiam Hæreticos liberaret. --- spondet si parcere-
tur se communicaturum (cum *Ithacianis*) dummodo ut & Tribunis jam in excidium Ecclesiarum ad Hispanias missi retraherentur --- satius aestimans ad horam cedere, quam his non consulere quorum cervicibus gladius imminabat: postero die se inde prœcipiens cum moestus ingemisceret se vel ad horam noxiæ communioni fuisse permixtum; --- astitit ei repente Angelus. Merito inquit *Martine* compungeris, sed aliter exire nequisti, repara virtutem, resume constantiam nè jam non periculum gloriæ sed salutis incurreris, itaque ab illo tempore satis cavit cum illa *Ithaciana* partis communione misceri, *Dial.* 3. § 15.

‘ that an Angel appeared to him, and told him
 ‘ he had just Cause to be sorry for what he had
 ‘ done, and that he should repair his Vertue, and
 ‘ reassume his Constancy, lest he incurr’d the Loss
 ‘ not only of his Honour, but Salvation, and
 ‘ that from that Time *St. Martin* would never any
 ‘ more communicate with the *Ithacian* Party.’

¶ *Ad An.* || *Baronius* confesseth, that *Pope Syricius* did also re-
 386. §. 27. fuse Communion with *Ithacius* and his Party upon this
 Account, and wrote Letters against them. *St. † Am-*
brose also saith, that ‘ he abstained from the Com-
 ‘ munion of those who desired the Death of He-
 ‘ reticks.’ The * *French Bishops* also refused Com-
 munion with *Felix*, as being made a *Bishop* by
 them, and the *Council of Turin* gives Leave to any
 so to do. || *Binius* confesseth, that *Theognostus*, and
 F Not. in other *Bishops* of the † *Catholick* Communion, ‘ did
 Concil. Tre- excommunicate *Ithacius* with his Companions on
 vir. An. ‘ this Account, as sanguinary, bloody, and un-
 386. ‘ worthy of the Priesthood.’ * *Baronius* and *Spon-*
danns treating of this Example, ingeniously con-
 fess, that ‘ not one of the Holy Fathers did al-
 ‘ low, that Ecclesiastical Persons should procure the
 ‘ Punishment of *Hereticks* with Death, or move
 ‘ the Civil Magistrate to do it; but that they

† Cum videret me abstinere ab Episcopis qui communicabant
 ei, vel qui aliquos, devios licet a fide, ad necem petebant, *Ambros.*
Ep. 27.

* Illud decrevit præterea Sancta Synodus, ut quoniam Legatos
 Episcopi Galliarum, qui *Felici* non communicant, destinarunt, si
 quis se ab ejus communione sequestrare velit, in nostræ Sanctæ
 pacis consortium suscipiatur, *Concil. Tassin.* cap. 5.

† *Ithacius* & *Ursarius*, Episcopi, ob necem *Priscilliani*, cujus
 Accusatores fuerunt, Ecclesiæ communione privantur, *Prosper.*
Chronic. ad A. D. 389. *Isidor.* de viris illustribus, cap. 2.

* Nondum enim de Episcopo aliquo auditum in Ecclesia Dei
 erat de Sontibus pœnam sanguinis exegisse, *Baron.* ad An. 385.
 §. 29. & rursus, nullus Sanctorum Patrum laudavit id posse fieri
 suggestione Sacrorum Antistitum, *Ad An.* 386. §. 27.

vehe-

‘vehemently dehorted them from it; and therefore they excuse the Practice of their *Church*, their *Pope*, *Bishops* and *Councils*, by telling us that * in the *Catholick Church* it is the Custom, that when any one desireth the Assistance of the *Civil Magistrate* against *Hereticks*, that he may not seem to be a Follower of the *Ithacian* Party, he first advisedly makes this Protestation, that he so desires the Correction of these incorrigible Delinquents, as to intreat their Blood may not be shed.’ And *Binius* adds, that † *Ithacius* was condemned because he desired that *Hereticks* might be punished with Death, without the Interposition of this Protestation.’ Now this is such a Piece of *Diabolical Hypocrisy* as doth not in the least excuse, but highly aggravate their Crime. The *Hypocrisy* and Prophanation of God’s holy Name, which by these Writers is stiled *The Protestation used by the Catholick Church*, is this, When they deliver the condemned Person to the *Civil Magistrate*, the *Bishop* or *Inquisitor* having delivered him, speaks thus, * ‘Sir, We passionately desire you, for the Love of God, and in regard of Piety, Mercy, and our Mediation, you

* Unde in Ecclesia Catholica usu receptum est, ut cum quis expetit a Secularibus Magistratibus opem adversus impios, ne Ithacianæ partis Sæctator esse videatur, contestationem illam consulte præmittat, sic se correctionem expetere incorrigibilium delinquentium, ut tamen citra poenam sanguinis puniantur, *Spondan. Ep. ad A. D. 385. p. 513, 514. Baron. ad A. 386. §. 22.*

† *Theognostus*, alique Catholicæ communionis Episcopi, *Ithacium* cum Sociis---excommunicarunt, quia sævius agens, in eodem poenam capitis procurasset, solitamque Interpositionem non interposuisset, qua se Delinquentium incorrigibilium correctionem sic expetere declararet, ut tamen a Sanguinis poena abstineretur, *Not. in Concil. Trevir. A. D. 386.*

* Domine Judex, rogamus vos cum omni affectu quo possumus, ut amore Dei, & Misericordiæ intuitu, & nostrorum interventu precaminum miserrimo huic nullum mortis vel mutilationis periculum inferatis, *Pontif. Rom. Romæ, 1611. p. 456.*

‘ would

‘ would free this miserable Person from all Danger of Death or Mutilation of Members;’ but notwithstanding all this seeming Piety and Tenderness, when they have sentenced an *Heretick* to Death, they require the * ‘ *Magistrate* to execute that Sentence within Six Days, upon Pain of Excommunication, Deprivation, and Loss of Authority and Offices,’ saith the Constitution of *Innocent* the Eighth; *within Five Days*, saith the Constitution of *Innocent* the Fourth; *he must presently take him into Custody for that end*, saith the Constitution of *Clement* the Fourth. Their Popes have approved and confirmed the *Decrees* of Emperors, Kings, Dukes and other Civil Governors, which command them to be put to Death; they have decreed, that the Punishment of *Hereticks* shall neither be relaxed nor delayed; that the *Magistrate* shall execute the Sentence without reviving of the Justice of it; that he shall take an Oath to execute it: Nay, both their Bishops, Popes and Councils, since the Twelfth Century, have been continually employed in instigating others to destroy and to cut off the *Heretick*, and raising Armies of *Crusado’s* to that end; all which is fully proved in the ensuing Book. Yea, their own Writers do ingenuously confess, that *this Intercession in behalf of the condemned Heretick, is in the common Opinion barely a Colour; that it is verbal, not effectual*; for the Criminal is delivered to the Secular Power for this very end, that he may dye. And the † *Magistrate* ought to punish him. Let therefore any reasonable

Cap. 24.

Bull. Rom.
To. 1. p.
174.

Vide §. 12.

* *Infra Sex dies, sine aliqua processuum visione, Sententias latus prompte exequantur, sub Excommunicationis poena, aliisque Censuris, Innoc. 8. Const. 10. Bullar. Rom. To. 1. p. 337.*

† *Magistratus secularis quemcunque Hæreticum sibi a Judicibus fidei traditum debet ultimo supplicio officere, Vide R. Episc. Lincoln. Brutum Fulmen. p. 207, 208.*

Person judge, whether their Practice in this Kind be not most gross *Hypocrisy*, *Self-Condernnation*, and *Profanation* of God's Holy Name; and whether this will in the least excuse them from being *Partis Ithacianæ Sectatores*, or, *Followers of the Example of Ithacius*?

§. IX. *Objection*. But, saith the querulous Dis-senter, Is there no other *Church*, or Person, concern'd in this Example, besides that of *Rome*? Know you of no Decree or Edict elsewhere, *ut Sulp. p. exilio mulctarentur Priscilliani*? Was there never any ^{467.} Supplication made to *Gratian* by some *Ithacius*, ^{p. 474,} *Ut universi Hæretici non Ecclesiis tantum, aut Urbi-^{607,} bus, sed extra omnes Terras propelli juberentur*? Was there never any other *Emperor*, *alias sane bonus*, *per Magnum & Rufum Episcopos, a mitioribus consiliis deflexus*?

Ans. I know that Mr. *Baxter*, and some other *Non-conformists*, speak much of our *Ithacian Prelates*, but, had they found them such, they would not have been here to make such *Tragical Complaints* against them without Cause: Sure I am, that our *Lords Spiritual and Temporal in Parliament assembled*, have sufficiently declared against this persecuting Spirit on the account of Religion, by their full Approbation of, and *Thanks returned to the Lord Bishop of St. Asaph, for his Sermon preach'd before them, Nov. 5. 1680*, and their desire that he would print and publish that Sermon, in which, first, he lays down this Position, *viz.* "That of Societies of Men, Christians, of all ^{p. 9.} other, are most averse from Ways of Violence and Blood, specially from using any such Ways on the account of Religion; And, among Christian Churches, where they differ among themselves, if either of them use those Ways upon the account of Religion, they give a strong Presumption against themselves, that they are not

“ not truly Christian. The Reason is, because
 “ *Christ* gave Love for the Character by which his
 “ Disciples were to be known, *Joh. xiii. v. 35.*
 “ And least Men should unchristian others first,
 “ that they may hate them, and destroy them
 “ afterwards, *Christ* enlarged his Precept of Love,
 “ and extended it to Enemies, and not only to
 p. 12, 13. “ ours, but the Enemies of our Religion, *Matt.*
 “ v. 43, 44.” Secondly, He adds, “ That by this
 “ we may usually judge who they are that excel
 “ among Christian Churches, when there happens
 “ any Difference between them, whether touch-
 “ ing the Faith or the Terms of Communion;
 “ they that were the more fierce, they generally
 p. 14. “ had the worst Cause, as, v.g. the *Nicene Coun-*
 “ cil suppress’d the *Arians* by no other Force but
 “ putting *Arians* out of their Bishopricks; they
 “ could not think *Hereticks* fit to be trusted with
 “ the Care of Souls, but otherwise as to tempo-
 “ ral Things, I do not find that they inflicted
 “ any kind of Punishment; but when the *Ari-*
 “ *ans* came to have the Power in their Hands—
 “ then Depriving was nothing, Banishment was
 p. 37. “ the least that they inflicted. Thirdly, That he
 “ would have no Man punished for his Religion,
 “ no not them that destroy Men for Religion.”
 p. 20. Fourthly, he saith, “ That neither our Religion
 “ nor our Church, is of a persecuting Spirit, she
 “ hath no Doctrine that teacheth Persecution.
 “ *N. B.* She hath not practis’d it as others, when
 “ they were in Authority. I thank God for it,
 “ and I hope she will always continue in the
 “ Temper; which being added to the other Marks
 “ of a true Church, may assure us, she is a
 “ Church according to the Mind of *Christ*,” The
 same is in effect declared by the *House of Commons*,
 when they returned their Thanks to *Dr. Tillot-*
son, Dean of *Canterbury*, for his Sermon preached be-
 fore

fore them, Novemb. 5. 78. desiring him to print that Sermon; where, having laid down the Example of our Lord, he adds, "That in Imitation of p. 13, 14
 " this blessed Pattern, the Christian Church continued to speak and act for several Ages; and
 " this was the Language of the Holy Fathers,
 " *Lex nova se non vindicat ultore gladio*, The Christian Law doth not avenge it self by the Sword;
 " This was then the Style of Councils, *Nemini ad credendum vim inferre*, To offer Violence to no
 " Man, to compel him to the Faith; adding,
 " p. 19. That to separate Goodness and Mercy from God, Compassion and Charity from Religion, is to make the two best Things in the
 " World good for nothing. And, p. 30. That true Christianity is not only the best, but the
 " best-natur'd Institution in the World, and so far as any Church is departed from Good-nature, and become cruel and barbarous, so far
 " is it degenerated from Christianity." We have indeed a Statute about Banishing Dissenters, but no *Ithacius*, that I know of, who ever supplicated for the Making, or for the Execution of it, but only for Retaining of it, as a due Curb for Men too prone to Faction and Sedition. And so it lies still dormant in the Hands of his most Gracious Majesty, and may it ever do so.

§. X. This Treatise serves to justify us in, and to provoke us to the use of any lawful Means for the avoiding of these Punishments. They who exhort us in this Exigence to trust to Providence, must know, That Providence doth not exclude, but rather doth require and suppose the use of any honest Means for the Prevention of impendent Dangers; for we can have no Reason to expect that Providence should supernaturally engage for the immediate Accomplishment of that which may be done by Divine Blessing upon ordinary Means. First, therefore,

therefore, we must use the Means, then pray, That Providence would bless and countenance, and render prosperous our just Endeavours in this kind; and when we have performed our utmost to prevent Dangers in a lawful Way, and find that our Attempts prove frustrate, then only is the Time to trust to Providence without subordinate Endeavours.

Now what Means may be lawfully pursued, according to the Constitutions of this Kingdom, for the preventing this aboding Evil, *Divines* should not presume too nicely to determine, who do then chiefly deviate, when they do meddle *extra Sphaeram Theologiae*; it rather doth become them to leave this Matter to those Persons whose Business and Office it professedly is to be skilful in the Laws, and who may rationally therefore be presumed Men better qualify'd to pass a Judgment in this Case. This, notwithstanding, I may safely say, That what no Law of Nature or positive Command of God forbids, may lawfully be done, and is expedient to be done, for Preservation of the Souls and Bodies of a whole Community, and their succeeding Generations, from the worst of Evils.

§. XI. 3. This Treatise may be useful to quicken us, by a due Apprehension of this so barbarous Religion and inhuman Doctrine, to labour to prevent it by our most serious Reformation, and most importunate Addresses to the Throne of Grace: or, if the Providence of God sees fitting, for the Punishment of our Iniquities, to give us up to this tremendous Judgement, to let us see what need we shall then have of the most perfect Patience and undaunted Courage, the most unshaken Faith and stedfast Resolution to undergo the fiery Trials, to which we may expect to be exposed, if we continue firm to our Religion. For

if

if the Providence of God should, for our crying Sins, permit our *lawful Prince* to be perverted to the *Roman Faith*, and poisoned with these bloody Principles, I declare to all the World, that *Christianity*, and our own *Oaths* both of *Allegiance* and *Supremacy* engage us, upon Pain of everlasting Ruin, not to lift up our Hands against him; that all who do resist him, must *resist God's Ordinance*, and so receive *Damnation to themselves*; that all who use the *Sword* without Commission from him, take it, and *they who take it*, though in Defence of me, saith *Christ*, *shall perish by it*. In this Case therefore I freely do acknowledge with * *L'Estrange*, we have no other Choice before us, but either to suffer the highest Degree of Misery that can befall us in the World, or else to prostitute our Souls for the saving of our Lives and Fortunes; and I do make with him this publick Profession to the World, *That, though I have as little Mind to be under the Government of an English Papist as any Mortal, and would do all that I could justify as a Christian and an honest Man to avoid it, yet, since I can no more chuse my Governor than my Father, and that I may as well renounce my Duty to the one upon the score of Religion, as to the other, I am resolved to pay the Duty of a Subject to what (Legal) Prince soever the all-ruling Providence of God shall set over me, and patiently to suffer, where I cannot conscientiously*

Rom. 13: 1, 2.

Matt. xxvi: 52.

Character of a Papist, &c. p. 3.

p. 13.

* Let the Reader determine, whether these Flights of Passive Obedience were owing to the Run of the Times, or to the Political Caution of not offending the Powers then in Being, or to the single Authority of Sir Roger *L'Estrange* as here cited; or to the real Opinion of the Author, meaning the Non-Resistance of himself and other private Persons, as to *Mutinies* and *Insurrections* here expressly restrain'd, without entring into the Cause of a National Defence of our Legal Constitution. It is enough here to observe, that this Writer did soon after conscientiously comply with the Revolution.

ou/ly

ously obey. And I conjure all reformed *Christians*, if ever they lie under these unhappy Circumstances, not to blaspheme their Holy Calling, or cast a Scandal on the *Reformation*, by any Mutinies or Insurrections against *God's Vicegerent*, which will assuredly incense the Wrath of God still more against them, prolong their Miseries, and make their temporal Calamities be a sad *Prologue* to eternal; but that they would resolve to suffer as becometh *Christians*, and to commit their Cause to him that judgeth righteously.

§. XII. 4. This Treatise may be instrumental to prevent being gull'd and deluded by fair Words and specious Promises, and by vain Hopes of Freedom from these dreadful Miseries, if this Religion should prevail; there being nothing in the World more inconsistent with the avowed Principles of *Popery*, nothing more contrary to the continual Practice of that *Church*, and to the Oaths and Obligations of the Members of it, than to permit the *Heretick* to scape these sad and direful Effects of their inhumane Cruelty. And whatsoever *Prince* neglects to execute these Punishments on any other score but those of Policy, most solemnly condemn the Constitutions of those *General Councils* which are the sole Foundations of his Faith; he must believe the *Church of Rome* not only Fallible, but False in her Determinations, and guilty of more Murther and Barbarity, than all the *Heathen Emperors* were guilty of in the Ten *Persecutions*. He must continue in, and own that *Church* to be the only *Church of Christ*, which yet he doth believe to be the vilest *Church* on Earth, and guilty of the greatest Crime imaginable.

Ibid. p. 42,
43.

Mr. *L'Estrange* takes care to tell us, That *Henry* the Fourth of France did not exercise one Act of Tyranny over his Protestant Subjects. But he forgot to tell us, that he was first deposed, and then
stab'd

stab'd for his Remissness in that matter: He was twice deposed by *Gregory the Fourteenth, A. D. 1591.* by *Clement the Eighth, A. D. 1592.* as being a *Favourer of Hereticks*, and, by the continual Rebellions and Defections of his *Roman Catholick Subjects*, he was forced, for Quietness sake, to turn *Papist, A. D. 1594.* And yet, because he was indulgent towards *Hereticks*, his Life was attempted the same Year, by *John Castel*, belonging to the *Jesuits*; by a *Monk, A. D. 1600.* and he was at last stab'd by *Ravilliac*.

Spond.
To. 2.
p. 868. §. 4.
p. 875. §. 4.

And, because others frequently object the like Example of the Indulgence of the *French King* towards the *Hugonots*, to what I have already answered, Section the Nineteenth of this Treatise, I add, 1. That from the beginning of the Thirteenth, till the middle of the Sixteenth Century, all *Europe* hath scarce equall'd the Severity of *France* for *Persecutions* of this kind, or Frequency of *Councils* making Laws for the Destruction of the *Hereticks*, as in this Treatise you will find.

2. The Author of *The Policy of the Clergy of France* p. 13. informs us, *That their Princes have not lost the Design of destroying Hereticks, though Prudence hath obliged them for the present to suspend it, because it could not be done by them without great Danger.* And *Bellarmin* himself will grant, *Non esse Hæreticos Bello petendos quando sunt fortiores nobis*; That *Hereticks* may be spared when they are stronger than the *Roman Catholicks*, and it is to be feared that more of them might perish than of us: And this is all the Lenity that ever was allowed by the Church of *Rome* towards the *Protestant*. If any Man can shew me, 1. That any of the Laws here mentioned have been condemned, abrogated or relaxed by the Church of *Rome*, or the *French Church*. 2. That any *Princes* have been blamed for, or in the least deterred by any of her Pre-

Since my writing of this the French King hath answered this Objection with a Vengeance.

lates from executing of those Laws, or even exempted from that Oath, which, saith the *Pope*, doth bind them to extirpate *Hereticks*, or that by any *Council* of the *Roman Church* they ever were permitted to neglect the Execution of them, or that from the Thirteenth to the Sixteenth *Century*, any *Prince* escaped the Censures of the *Church* who did neglect to execute them. 3. That any *Country* or *City* hath been rejected from Communion with that *Church* for *Massacring Protestants*, and *Killing many Myriads* of them in cold Blood. If, 4. It can be made appear, that the same *Principles* which do oblige them to receive other *Articles* of Faith determined by those *Councils*, do not oblige them to the Execution of the *Decrees* established by the same *Councils*, or others equally obliging. If, lastly, there be no Design on foot for the *Destruction and Extirpation* of a pestilent *Heresy* which hath long reigned in the *North* of *Europe*. If these Things can be evinced, then may we have some little Hopes of being kindly dealt with by a *Popish Prince*, though he were zealous to a *Miracle* for Propagation of the *Roman Faith*, and had it in his Power thus to purge his Territories from *Heretical Pravity*.





A
DISCOURSE

Concerning the

L A W S

Ecclesiastical and Civil

MADE AGAINST

HERETICKS

BY

POPES, EMPERORS, &c.



ANY of late have excellently discoursed of those Doctrines of the *Romish Faith*, which, when believed and practised, must be highly prejudicial to, or be sufficient to disturb all Civil Governments; and have demonstratively proved, that Men whose Consciences are guided by the *Romish Casuists*, or who have heartily

tily embraced the *Principles* of that *Religion*, can give us no Security that they will not disturb the Government by which they are protected: But few (if any) have of late made it professedly their Business to speak of what may be expected by such as they are pleased to call *Hereticks*, when they are so unhappy as to be subject to a *Prince* who hath embraced the *Romish Faith*, and to a *Clergy* which doth own the *Principles* of that *Communion*; which being in this present Juncture of Affairs a most important Subject, I hope it will not seem either unseasonable or unprofitable to discourse briefly on that Head. Now what such Persons may expect to suffer, we may learn from what already hath been decreed by them concerning *Hereticks*, and what they have already practised.

§. I. The *Laws Ecclesiastical and Civil* made against *Hereticks* by *Popes, Kings, Emperors, and Councils*, may be reduced to these Heads; 1. Laws made for the Preservation of the Members of the *R. Church* from falling into that which they call *Heresy*: 2. The Laws made for the Discovery of *Hereticks*, their Favourers, Abettors, or such as they suspect to be inclinable to *Heresy*; now they are either such as do empower Persons to be active in enquiring after them, and do encourage them to make Discoveries of this Nature, or such as lay an Obligation on them to be diligent in making these Enquiries and Discoveries, and upon others to assist them in so doing. Or, 3. Laws which concern the Punishment of *Hereticks* discovered so to be, and the Engagement which they lay upon Men to execute these Punishments upon them.

§. II. And, 1. So conscious are the *Romish Prelates* of the gross Absurdity and the apparent Folly of their own Doctrine, and the plain Contradiction

ons that it bears, in many of its *Articles*, to *Scripture* and the clearest Reason, that they dare not permit the meanest Members of their Church to look into the *Scripture*, or make Inquiry or Search into the *Articles* of their Faith, or trust a Child of twelve Years old without an *Oath* to bind him firm unto their *Superstitions*.

And therefore, 1. It hath been decreed by many of their Councils, That all Males at fourteen, *Concil. To. XI. part 1.* and Females at twelve Years of Age, shall abjure all *Heresy* extolling it self against the Holy Catholick Roman Church, and Orthodox Faith; and shall swear also, That they will hold the Catholick Faith which the Roman Church teacheth and holds. *P. 430. P. 693. P. 722, 724, 725.*

This is determined by a Council of many Bishops and Prelates met at Tolouse in France, A. D. 1229. Can. 12. by a Council held at Beziers, A. D. 1246. Can. 31. by a Council of many Bishops and Prelates held at Alby in France, Can. 11, 12. Moreover, this Oath, by the Decrees of the Council of Tolouse and Alby is to be renewed upon them every two Years. And, All that do come in, and confess their *Heresy*, *Ibid.* must take the same Oath, saith the Council of Beziers, Can. 5.

2. All Consuls, Governors of Castles, Authorities, *Concil. To. XI. p. 308.* and Barons, must be compelled by Ecclesiastical Censure to abjure Hereticks, with the Favourers and Abettors of them, saith the Provincial Council of Narbon, Can. 15.

3. No Layman, upon Penalty of Excommunication, must dispute publicly or privately touching the Catholick Faith, saith Nicholas the Third, *Bullar. Rom. To. I. p. 182.* Const. 2. §. 19.

4. No Layman must have any Books of the Old or New Testament, except the Psaltery, the Breviary, and the Hours of the Blessed Virgin (three New Testament Books of the Roman Edition) any of which they must by no means have *Concil. To. XI. p. 430.*

in the *Vulgar Tongue*, saith the *Council of Tolouse*,
Can. 14.

And surely such unworthy Arts do give just Reason to all considering Persons to suspect the Truth of that *Religion* which needeth thus to be supported by *Oaths* and *Abjurations* made by *Children*: by stopping of Mens Mouths, and not permitting them to ask that *Reason of their Faith* which all Men are obliged by their *Christianity* to be in *readiness to give to all that ask it*; and by withholding of those Scriptures of the Old Testament which are able to make them wise unto Salvation; which by the Law of *Moses* were to be continually read unto, continually talk'd of by the People; to which they, by the *Prophets*, were advised to go, and by which to pass Judgment on those who spake unto them of religious Matters; which our Lord doth enjoin them both to hear and search; as also his Apostles did, commending them who from their Youth had known, and who upon occasion search the Scriptures; and also those of the New Testament, which were on purpose writ in the most vulgar Language of the *World*, that all might know them, and in great Plainness of Speech, that they might understand them; and which were left to be a Rule of Faith and Manners to all succeeding Generations, which the *Primitive Fathers* do vehemently commend to the perusal of all *Christians*, and which the *Heathen Persecutors*, as fiercely as the *Roman Catholics*, did strive to wrest out of their Hands.

§. III. 2. If notwithstanding all this Care to keep them ignorant and blind, some by the Strength of natural Reason and *Religion*, and others by conversing with Men of better Principles, or reading that so pestilent, and therefore carefully forbidden Book, the *Word of God*, come to the Knowledge of his Truth, and be convinced of

of the *Superstitions* and *Follies* of the *Roman Doctrines*, and so become, according to their *Notions*, *Hereticks*. 1. All imaginable Care is used that they may not escape their *Hellish Cruelty*, nor find a Corner in *Villages* and *Woods*, *above* or *under Ground*, which may preserve them from their *Fury*. And therefore,

2. For the better discovering and apprehending of *Hereticks*, and those who favour and abet them, or are suspected of these Matters, they have these following Persons authorised for that Work.

1. *Inquisitors of Heretical Pravity* constituted by his Holiness for that End, v. *Leg. Fred. 2.*

2. *All Archbishops and Bishops in their respective Provinces and Diocesses, with their Officials and Vicars.* And,

Council To. XI. p. 619.

The Bull of Martin the Fifth, published with the Consent

and Approbation of the general Council of *Constance*, begins thus, *Martinus Episcopus--- Archiepiscopis, Episcopis ac Inquisitoribus Hæretica Privatis nullo libet constitutis.* Bin. To. 7. p. 1119.

3. *Abbots within their Precincts.* And,

4. For the Assistance of these Persons, ' every Governor or Magistrate throughout *Lombardy* and *Italy* is bound to keep twelve honest Men, two Notaries, and as many Servants as the Bishop, or two of the Brethren Inquisitors shall think fit, who shall be bound to search after, apprehend Hereticks, or bring them within the Power of the *Diocesan*, or his *Vicars*, and to require all Persons to assist them in so doing." *Constit. Innocentii Quarti, cap. 3, 4. Clem. 4. Const. 13. Leg. 3.*

Council To. XI. p. 605. Bullar. Ro. To. I. p. 173

These are the Persons authorised by as good Authority as the Court or Church of *Rome* hath any, to discover and apprehend the *Heretick* and his *Abettors*. And their Commission is exceeding large. For,

§. IV. 1. ' If the *Bishop*, his *Vicar*, the *Inquisitor*, or these twelve *Officers* require it, the *Magistrate* must assist them in enquiring after, taking and spoiling *Hereticks*, by sending Soldiers with them; this must be done by *Cities*, under the Penalty of 100 Pounds, by *Villages* under the Penalty of 25 Pounds. *Const. Innoc. W. cap. 19.*
Concil. To. XI. p. 606. By the Constitutions of *Clem.* the Fourth, every Governor and private Person is bound to assist the *Inquisitors* and *Officials* of the Bishop and his *Visitor* to apprehend *Hereticks.* *Const. 13. L. 18..*

2. ' They also have Power to compel all the Neighbourhood to swear, that if they know of any *Hereticks*, or any that keep *secret Conventicles*, or any that believe, defend, receive or favour *Hereticks*, they will endeavour to give notice of them to the *Inquisitors* appointed by the *Apostolick See.* *Const. Innoc. IV. cap. 30.*"

Ibid. p. 428. The Council of *Toulouse*, *Can. 1.* decrees, ' That the *Archbishops* and *Bishops* shall, in every *Parish* within their *Cities* and without, bind one *Priest*, and two or three honest *Laymen*, or more, if that be needful, by their Oaths, that they will diligently, faithfully and frequently enquire after *Hereticks* in the said *Parishes*, by searching any Houses or subterranean Receptacles that may give Suspicion of them; and if they find any *Hereticks*, *Believers*, *Favourers*, *Receivers* or *Defenders* of them, they will secure them, that they may not fly, and then with all speed give Intimation of them to the *Archbishop*, *Bishop*, *Lord* or *Bailiff* of the Place." This Decree is renewed by the Provincial Council of *Beziers*, held *A. D. 1246. Can. 34.* by the Council of *Alby*, *Can. 1. p. 722.* by the Council of *Arles*, *A. D. 1234. Can. 5.* the Council of *Salzburgh*, held *A. D. 1420.* commands ' all Persons, under the Penalty of Excommunication, and eternal Death,

Vide simile
Stantum
H. Chichley, Cant. Archiepiscopi, ed. A. D. 1416 Spel. Concil To. II. p. 672.

Ibid. p. 694. ' as

p. 2341. To. XIII. p. 325,

as soon as they know that any *Heretick* is in their Territories, to reveal them to their *Superiors*; and all *Magistrates*. when the *Inquisitors* give notice of them, are bound under the same Penalty to apprehend, imprison and deliver them to the *Inquisitors*, *Can. 32.*" And by the Constitutions of *Nicholas* the Third, directed to all *Christians*, they are liable to *Excommunication* who neglect to do so. Bul. Rom. To. 1. p. 182

3. 'The Lords of Territories must be solicitous to enquire after *Hereticks* in their Houses and Woods, and to destroy their Hiding-Places. Concil To. XI.
Concil. Tolouse, Can. 3. Stat. Raimundi, Com. To. part. 1. p. 449.
Concil. Albiense, Can. 4. p. 723. 'They p. 427.
 must assist the Ordinary in taking them, under Part 2. p. 1912.
 the Penalty of Excommunication, *Concil. Paris. 1912.*
A. D. 1346. Can. 4.

4. 'All *Earls, Barons, Rectors, and Consuls* of Cities, and other secular Powers, bearing any Office whatsoever, must be admonished by the *Diocesan* to swear, that they will faithfully and efficaciously assist the Church, according to their Power and Office, against *Hereticks* and their *Accomplices*, and will use their utmost diligence therein; and, if it be found necessary, they Part 1. p. 679, 630.
 by *Church Censures* must be compelled so to do, p. 693, 694
 saith the Council of *Beziere*, *Can. 9.* the Council of *Alby*, *Can. 20.* page 726. the Provincial Council of *Narbon*, *Can. 32.* And sutably to this, the *Canon Law* determines, that 'All *Earls, Barons, Rectors* and *Consuls* of Cities, and other Decretal. l. 5.
 places, shall, at the Admonition of the *Bishops*, Tit. 7. cap. 9.
 engage themselves by Oath, that, being required by them, they will faithfully and efficaciously help the Church, according to their Office par statum.
 and Power, against *Hereticks* and their *Accomplices*.

§ V. Nor are these only the Decrees of *Popes*, and *Emperors*, and of *Provincial Councils*, but many of them are confirmed by their approved *general Councils*. For,

1. The fourth general Council of *Lateran* assembled *A. D. 1215. Can. 3.* * decrees that, 'All *Archbishops*, by themselves or their *Archdeacon*, or by some fit and honest Persons, twice, or at the least once a Year, shall visit their own *Parishes*, in which it is reported that any *Hereticks* do dwell; and shall compel three or more Men of good report, or if it seem expedient to them, the whole Neighbourhood, to swear that if any of them know of any *Hereticks* there, or of any that keep secret *Conventicles*, or that differ in their Lives or Manners from the common Conversation of the Faithful, they will endeavour to acquaint the *Bishop* with them.' The general Council of *Constance*, that is, *Martin the Fifth*, † with the consent and approbation of that Council, ‡ commands 'All *Archbishops*, *Bishops*, *Inquisitors*, *Commissaries*, or

* Adjicimus insuper, ut quilibet Archiepiscopus, vel Episcopus, per se aut per Archidiaconum suum, vel idoneas personas honestas, bis, aut saltem semel in anno, propriam Parochiam, in qua fama fuerit hæreticos habitare, circumeat: & ibi tres vel plures boni testimonii viros, vel etiam, si expedire videbitur, totam viciniam jurare compellat, quod si quis ibidem hæreticos sciverit, vel aliquos occulta conventicula celebrantes, seu à comuni conversatione fidelium, vita & moribus dissidentes, eos Episcopo studeat indicare, *Concil. To. XI. Part. 1. p. 152.*

† Discretionis vestræ, sacro approbante Concilio *Constantiensi*, per Apostolica Scripta committimus & mandamus, *Concil. Const. Sess. 45. Bin. To. 7. p. 1120.*

‡ Volis, & aliis omnibus Archiepiscopis, Episcopis & Electis ac Commissariis, & Inquisitoribus, virtute sanctæ obedientiæ precipimus & mandamus, ut quilibet eorum, infra limites & loca suæ Jurisdictionis, ----circa extirpationem & correctionem errorum & hæresum, ----in favorem ipsius fidei orthodoxæ diligenter invigilent, & omnes infamatos seu suspectos de tam pestifera

Elect

Elect Persons, by virtue of their Obedience, that every of them, within their Limits or Places of their Jurisdiction, diligently do watch for the extirpation and correction of all Errors and *Heresies*. And wheresoever they find any that are infamed or suspected to be guilty of those Crimes, to compel them under the Penalty of Excommunication, Suspension, interdiction or Confession of the Crime, or any other more formidable Punishment, *Canonical or Legal*, to take a corporal Oath upon the *Evangelists*, the *Reliques* of the *Saints*, or a *Crucifix*, to answer to the *Questions* they shall ask them.' Now the *Questions*, among many others, are these following, *viz.*

1. 'Whether they think it lawful that such an Oath should be imposed upon or taken by them for their Purgation, (*i. e.*) an Oath *ex officio*, obliging them to condemn themselves. Pag. 1124.

2. 'Whether they hold it a mortal Sin to be guilty of *Perjury*, though it be to save their Lives, or for the Advantage of the Faith. This may be done by *Catholicks*, but must not be done by *Hereticks*.

3. 'Whether he believes, That, after the Consecration of the *Priest*, in the Sacrament of the Altar, under the Elements of the Holy Bread and Wine, there remains no material Bread and Wine, but the same *Christ* entirely, who

labre sub confessati criminis, excommunicationis, suspensionis, interdicti, aut aliâ formidabili poenâ canonicâ, vel legali, prout, quando, & quemadmodum eis videtur expedire, & facti requiret qualitas, per juramentum corporaliter præstitum, tactis sacrosanctis Evangeliiis, seu sanctorum reliquiis, imagine crucifixi, secundum quorundam locorum observantiam, juxta infra scripta interrogatoria, ad quemlibet Articulum convenientia respondere compellant, *Concil. Constant. Sess. 45. Bin. To. 7. p. 1121.*

‘ suffered

‘ suffered on the *Cross*, and sits at the Right-hand of the Father.

4. ‘ Whether he believes, That, the Consecration being made by a *Priest*, under the Species of Bread alone, and without the Species of Wine, there is the true Flesh, and Blood, and Soul, and *Deity* of *Christ*, and whole *Christ*, (in his broken Body) and the same *Christ* absolutely, and under every one of the Species in particular,” (*i. e.*) whether there be one *Million* of *Christs*, and yet but one.

5. ‘ Whether he believes, That the Custom of communicating *Lay-men* in the Species of Bread alone, --- approved by this Holy *Council*, be to be observed, so that it is not lawful to change it without the *Authority* of the *Church*,” (*i. e.*) whether he hold that the *Council*, forbidding what *Christ* commands, is to be obeyed before *Christ*.

Page 1125. 6. ‘ Whether he believes, That the *Pope*, being Canonically elected, is the Successor of St. *Peter*, and hath *supreme Authority* in the whole *Church* of God?” With many *Questions* of the like Nature, containing the whole *Superstition* of the *Church* of *Rome*.

2. * ‘ If any Person whom they suspect to be guilty of *Heresy*, will not undergo their *Canonical Purgation*, or by a *damnable Obstinacy* refuses thus to swear, in order to his Purgation, he is to be condemned as an *Heretick* ;” so the fourth general *Council* of *Lateran*, and the general *Council* of † *Constance*.

* Si qui vero ex eis juramenti Religionem obstinatione damabili respuentes, jurare forte noluerint, ex hoc ipso tanquam Hæretici reputentur. *Concil. Lat. quartum, Can. 3.* *Concil. To. XI p. 152.*

† Qui autem de Hæresi per Judicem competentem Ecclesiasticum inventi fuerint sola suspitione notati, seu suspecti, nisi --- propriam innocentiam congrua devotione monstraverint, in purgatione eis canonice indicta deficientes, & se canonice pur-

3. This Power is given to ' *Archbishops, &c.*
' throughout all * Parts of the World where
' any *Heresy* ariseth, viz. to make these Enqui-
' ries, and proceed accordingly;" so that no
Country, where this *Religion* doth obtain, can ex-
pect any Thing but a continual *Butchery* of all
that will not be most gross *Idolaters*. And,

4. They command their † Officers ' to pro-
' ceed against, and to condemn as *Hereticks*, all
' Persons of whatsoever Dignity, Office, Pre-
' eminence, State and Condition they shall be,
' and what Names soever they are called, who
' think otherwise of the Sacrament of the Body
' and Blood of *Christ*, or of *Baptism*, or of *Con-*
' fession of Sins, or *Penance*, or any other Sacra-
' ments, or Articles of Faith, than the *Holy Ro-*
' man Church and *Universal*, teacheth, and as *He-*
reticks, to give them over to the Civil *Magistrate*,
Concil. Constan. ibid. And,

gare non valentes, aut pro hujusmodi purgatione facienda ob-
stinatissime damnabili jurare renuentes, tanquam *Hæretici* con-
demnentur. *Concil. Const. Sess. 45. Bin. To. VII. p. 1121.*

* Tam ad Regnum *Bohemia*, & convicinas illi, quam alias
quaslibet partes in quibus hac insperstitiosa doctrina quomodo-
libet pullaverit. *Ibid.*

† Mandamus quatenus vos Archiepiscopi, Episcopi, & Electi,
& quilibet vestrum, per se seu alium, vel alios, quos graves &
idoneas personas spirituales Jurisdictionem habentes esse volu-
mus, omnes & singulos cujuscunque dignitatis, officii, præ-
eminentiæ, status vel conditionis existunt, & quibuscunque no-
minibus censeantur, qui de præexcellso --- Sacramento corporis
& sanguinis Domini nostri *Jesu Christi* vel de baptismo, seu
peccatorum confessione, poenitentia pro peccatis, injunctio-
ne, vel reliquis Ecclesiasticis sacramentis, seu fidei articulis, aliter sen-
tire aut docere quam sacrosancta R. Ecclesia & universalis docet,
prædicat & observat, --- tanquam *Hæreticos* judicetis, & ve-
lut *Hæreticos* seculari curiæ relinquatis. *Concil. Constant. Sess.*
45. apud Ben. To. VII. p. 1120.

5. They

5. They renew the Constitution of * *Boniface the Eighth*, concerning the *Inquisition*, ' requiring and commanding all *Powers*, and *Lords Temporal*, and *Judges*, of whatsoever *Dignity*, *Name*, or *Office*, as they desire to be reputed *Christians* and *Sons of the Church*, and to glory in the *Name of Christ*, that they obey, and attend these *Inquisitors*, and other *Ecclesiastical Persons* deputed, or hereafter, by the *Apostolical See*, to be deputed, for the finding out and punishing of *Hereticks*, affording them their *Aid* and *Favour* in finding out, apprehending and imprisoning them, and all that do believe, favour, receive, or defend them." And so much for the *Laws* made for enquiring after *Hereticks*.

§. VI. 3. The *Laws* which do concern the Punishment of *Hereticks*, when they are once discovered and apprehended, are either such as do declare what Punishments shall be inflicted on them; or such as do oblige Men to inflict those Punishments upon them. Now the Punishments which by their *Laws* must be inflicted on them, are these following, viz. *Excommunication*, *Confiscation of their Goods*, *Imprisonment*, *Exile*, *Death*, *Concil. Bitter. An. Dom. 1246. Can. 2.* And,

* (Constitutionem) Felicis Recordationis *Bonifacii Octavi* quæ incipit, ut *Inquisitionis* negotium, renovantes, & etiam exsequentes, universos *Potestates*, & *Dominos temporales*, & *Judices* antedictos, quibuscunque dignitatibus, vel officiis, seu nominibus censeantur, exhortando requirimus, & mandamus eisdem, ut sicut reputari cupiunt, & haberi fideles, ac filii *Ecclesiæ* nuncupari, & in *Christi* nomine gloriari, ita pro defensione *Fidei* vobis *Archiepiscopis*, *Episcopis*, & *Electis*, ac *Inquisitoribus* hæreticæ pravitatis, & aliis *Judicibus* seu personis *Ecclesiasticis* per nos ad hoc — deputandis, fidem & communionem *Sanctæ Matris Ecclesiæ* tuentibus pareant & intendant, præbeantque auxilium & favorem, in hæreticorum, necnon credentium, fautorum, receptatorum, & defensorum ipsorum investigatione, captionem, custodia diligenti, cum ab iisdem fuerint requisiti. *Ibid. p. 1121. Vid. Sexti Decretal. l. 5. tit. 2. c. 18.*

1. ' They

1. ' They must be *excommunicated*, with all their Favourers, every Week, saith the Council of Bezi-
 ors, *A. D.* 1233. *Can.* 1. and *A. D.* 1246. *Can.* 8. *Page 453.*
 And the Council of Alby, *Can.* 19. They are actu- *Pag. 679.*
 ally *excommunicated* saith their Canon Law. This *Pag. 726.*
 Sentence doth pass upon them yearly in the Bulla *Decretal.*
Cenae. *l. 5.*
Tit. 7. c. 13

2. They must lose all their Goods.

For (1.) whosoever apprehends them (which all have Liberty to do) hath free leave to take from them all their Goods, and full right to enjoy them. *Const.* Innocentii IV. *cap.* 2. And this Punishment, saith *Innocent the Third*, ' we command to be executed on them by the Princes and Secular Powers, who shall by *Ecclesiastical Censures* be compelled thereunto. *Concil. To. XI. p. 605.*
7. Decretal l. 5. Tit. 7. cap. 10.

Moreover, after the Sentence is pronounced against them, ' Their Goods, if they have any still remaining shall be all confiscated, and never shall return unto them. *Const.* Fred. 2. *Concil. Bitterrense, Can. 3. p. 678. Statuta Raimundi, To. XI. p. 622.*
Com. Tolos. p. 449, 450. Concil. Arelat. A. D. 1234. Can. 5. p. 2341.

' The very House in which the Heretick is found must be destroyed and never built again, and the ground must be confiscated, and so must all the other Houses contiguous to it, if they belong to the same Person, (unless it appear to the *Inquisitors* that the Lords of them were wholly inculpable) and all the Goods of them must be sold, or become his that takes them.' *Innocent. 4. cap. 26. Clem. 4. Const. 13. Ibid. p. 607.*
Leg. 25, 26. Concil. Tolos. Can. 6. Concil. Bitterr. p. 428, 449.
Can. 35. p. 694. Concil. Albien. Can. 6. p. 723. Stat. Raimundi Comit. Tolos. Concil. provinc. Narbon. 450.
Can. 35. p. 694.

3. They are to be imprisoned without delay.

And

And when they have them thus in hold, the Governour is, by the Constitutions of Pope Innocent the Fourth, obliged 'to compel them by any Punishments which do not dismember them, or endanger their Death, expressly to confess their Errors, and to accuse all other *Hereticks* they know of, and the *Believers*, *Receivers*, or *Defenders* of them, and to tell where their Goods are. *Const. Innocent. 4. cap. 25.* Which Constitution is renewed by *Clemens* the Fourth, *Const. 13. Leg. 24.* and is the ground of all the *Hellish Cruelties* which those poor Creatures meet with in the *Inquisition*.

§. VII. 4. They must be banish'd, exterminated, or driven out of all places where they are. *Concil. To. 12.* For the *Council of Cologne* commands 'all that are subject to it to rise up against *Hereticks*, their *Favourers* and *Receivers*, and faithfully to procure their Extermination. *Can. 9. A. D. 1425. p. 363, 364.* And in order hereunto,

To. XI. p. 622. 1. All secular Powers must swear to expel *Hereticks* out of their Dominions. The Constitutions of the Emperor *Frederick* the Second run thus, 'We make a perpetual Decree, That the *Officers*, *Consuls*, *Rectors*, whatsoever Office they enjoy, shall, in defence of the Faith, take a publick Oath, That they will honestly endeavour with their utmost Power to expel all *Hereticks*, as such condemned by the *Church*, out of their Territories. And all that shall be admitted hereafter to any place of Government Temporal or Perpetual, shall be bound to take this Oath, or lose his Government.' *Ludovicus* the Seventh, King of *France*, with the Advice of his Nobles, sets

Concil. To. XI. p. 423. 424. forth his *Edicts* against *Hereticks*, 'commanding all his *Barons*, *Bailiffs*, and other Subjects present and future, to be solicitous and intent to purge their Territories from *Hereticks* and heretical Filth,

' Filth, and to swear to the observation of this
' and all other Statutes made against them. They
' must swear to do their endeavours to extermi-
' nate out of their Dominions all *Hereticks*, *Be-*
' *lievers*, *Receivers*, *Favourers*, or *Defenders* of
' them, saith the *Council of Alby*, *Can. 20.* The *p. 726.*
Council of Arles gives power to the *Bishop* to com- *Concil. To.*
pel them by *Church Censures* to take this Oath. *XI. part. 2.*
Can. 3. See the like, *Concil. Bitter. Can. 9. p. 679,*
680. Concil. provinc. Narbon. Can. 32. p. 693, 694. *p. 2340.*

The Constitutions of *Innocent the Fourth* de-
cree, ' That every Governour in *Lombardy*, hav-
' ing called a *Common Council*, shall put forth *To. XI. p.*
' his *Edict*, to banish all *Hereticks* from under his *605.*
' Jurisdiction, and to declare, That none of them
' shall stay within his Jurisdiction. *Const. 2.* So
also do the Constitutions of *Clement the Fourth*, *Bull. Rom.*
Const. 13. Leg. 2. Now, for the better Execution *To. I. p.*
of this punishment, it is decreed, *173.*

§ VIII. 1. ' That if any Governor knowingly
' permit a *Heretick* to abide in his Dominions he
' shall be excommunicated, *Concil. Bitter. Can. 2.*
' *p. 677.*

2. ' That whosoever, having temporal Domi-
' nion, neglect to prosecute those who by the
' Church are denounced *Hereticks*, or to extermi- *Incompa-*
' nate them out of his Province or Dominion, is to *rabiliter*
' be deem'd a grievous *Favourer* of *Hereticks*, *Concil. Reus, p.*
' *Narbon. Can. 15.* *492.*

3. ' He who knowingly permits a *Heretick* to
' abide in his Dominions, shall for ever lose them.
' And his Body shall be in the Power of his Lord,
' to do with him as he ought, *Concil. Tolos. Can. 4. Concil. To.*
Concil. Bitter. Can. 2. p. 677. Concil. Alb. Can. 5. p. XI. p. 428.

725. ' If the temporal Lord being required shall
' neglect to purge his Territory from heretical
' Pravity, after one Year elapsed from the Time
' of his Monition, (saith the Emperour Frederick,)

Pag. 622.
Bull. Rom.
To. L. p. 90.

‘ we expose his Territories to be seized by *Catholicks*, who, having exterminated the *Hereticks*, without Contradiction shall possess it, and preserve it in the Purity of Faith, so as no Injury be done to the Right of the *superiour Lord*, who doth not any way oppose this Procedure; provided notwithstanding that the same Law take Place against them who have no *principal Lords*, *Const. Fred. 2.* And this his Constitution is confirmed by *Honorius the Third, Const. 1.*

§. IX. Now all these Constitutions of *Popes, Kings, Emperors, Provincial Councils*, are also confirmed by the approved general *Councils* of the *Roman Church*; and are extended and enlarged by them to *Kings, Emperors* and *Supreme Governors*, and so they are not only Constitutions of State, or of the *court of Rome*, but also of the whole *Church of Rome*. For,

1. The Fourth general *Council* of * *Lateran* begins the Chapter against *Hereticks* thus, ‘ We excommunicate and anathematize every *Heresy* extolling it self against the *Holy Orthodox Catholick Faith*, which we have now expounded, condemning all *Hereticks* by what Names soever they are called. † We anathematize them, their *Defenders* and *Receivers*,’ (saith the Third general *Council* held there.

2. The third general *Council* of * *Lateran* under *Alexander the Third*, the Fourth general Coun-

* Excommunicamus & anathematizamus omnem Hæresim extollentem se adversus hanc sanctam orthodoxam Fidem quam superius exposuimus, condemnantes universos Hæreticos quibuscunque nominibus censeantur. *Concil. Lat. Can. 3. Concil. To. XI. p. 148.*

† Eos & Defensores eorum & Receptores Anathemati decernimus subiacere. *Concil. Lat. tertium. cap. 27.*

* Bona ejusmodi Damnatorum, si Laici fuerint, confiscantur *Concil. Lat. quartum, Can. 3. ibid.* Confiscantur eorum bona &

cil

cil of *Lateran* under *Innocent* the Third, and the general Council of *Constance* decree that 'the Goods of *Hereticks*, if they be *Lay-men*, shall be confiscated.

3. They decree that 'the *Temporal Lords*, being required by the *Inquisitors*, *Archbishops*, *Bishops*, &c. † shall within their Jurisdictions, without Delay, imprison *Hereticks*, and cause them to be kept in close Custody, by putting them into Fetters and Iron Chains, till the Church hath passed Sentence on them; and not * free-
 ing them from Prison without the License of the *Bishop* or *Inquisitors*. And, * *Vide Sext. Decretal. l. 5. tit. 2. c. 18.*

4 They decree that the * 'Secular Powers, what Offices soever they enjoy, shall be admonished, and, if need be, compelled by *Ecclesiastical Censure*, that as they desire to be reputed *Christians*, so they will take an Oath for the Defence of the *Faith*, that they will honestly endeavour with their whole Power to extermi-

liberum sit Principibus ejusmodi homines subicere servituti. *Lar. tertium, cap. 27.* Bona ipsorum, a tempore commissi criminis, secundum canonicas Sanctiones confiscata. *Concil. Const. Sess. 45. Bin. To. 7. p. 1121.*

† Ut præfatas personas pestíferas—in potestatem, seu carcerem—infra eorundem Dominorum potestatem, seu judicium districtum ducant, vel duci faciant, sine mora, ubi per viros Catholicos—sub arcta & diligenti custodia, ne fugiant ponendo eos etiam compedibus & manicis ferreis, teneant, donec eorum negotium per Ecclesiæ judicium terminetur. *Concil. Const. Sess. 45. Bin. To. 7. p. 1121.*

* Moneantur autem, & inducantur, & si necesse fuerit, per Censuram Ecclesiasticam compellantur Seculares Potestates, quibuscunque funguntur Officiis, ut sicut reputari cupiunt & haberi fideles, ita pro defensione Fidei præstent publicè Juramentum quod de terris suæ jurisdictioni subjectis universos Hæreticos ab Ecclesia denotatos bona fide pro viribus exterminare studebunt: ita quòd à modo quomodocunque quis fuerit in Potestatem sive spiritualem sive temporalem assumptus hoc teneatur capitulum Juramento firmare, *Concil. Lat. quartum, Can. 3. ibid.*

'nate all *Hereticks*, condemned by the *Church*, out
 'of their *Territories*.' Thus the fourth *Lateran*
Council hath defined. The general *Council* of *Con-*
stance requires † 'All *Archbishops*, *Bishops*, and o-
 'ther Persons chosen for this Work, to admonish
 'and require all *Kings*, *Emperors*, *Dukes*, *Princes*,
 ' *Earls*, *Barons*, &c. and by the *Apostolical Autho-*
 ' *rity* to command them, to expel all *Hereticks*
 'forementioned out of their *Kingdoms*, *Pro-*
 ' *vinces*, *Cities*, *Towns*, *Castles*, *Villages*, *Terri-*
 ' *tories* and other *Places*, according to the *Canon*
 'of the *Lateran Council* which begins with the
 'Words, *Sicut ait*, that is, according to the *Twen-*
 ' *ty seventh Canon* of the *Third general Council* of
Lateran, which, under *Anathema*, forbids any one
 to let the *Hereticks* there mentioned tarry within
 their Houses or Territories.

5. The Fourth Council of * *Lateran* adds, that

† Omnes Christianæ & Catholicæ Fidei Professores, Impera-
 torem, Reges, Duces, Principes, &c. necnon ceteros jurisdictionem
 temporalem exercentes juxta Juris formam & exigentiam
 Autoritate Apostolicâ exhortando moneatis & requiratis, ut de
 Regnis, Provinciis, Civitatibus, Oppidis, Castris, Villis, Terris &
 Locis aliis, ac Dominis supradictis, omnes & singulos Hæreti-
 cos hujusmodi, secundum tenorem Lateranensis Concilii, quod
 incipit *sicut ait*, ----tanquam oves morbidas Gregem Domini in-
 ficientes expellant: nec eosdem in suis districtibus prædicare, do-
 micilia tenere, larem fovere, contractus inire, negociationes &
 mercationes quaslibet exercere, aut humanitatis solatia, N.B. cum
Christi Fidelibus habere permittant. *Conc. Const. Sess. 45. apud*
Bin. To. 7. p. 1121. A. Vide Concil. Lat. tertium, cap. 27.

* Si verò Dominus temporalis requisitus, & monitus ab Eccle-
 sia, terram suam purgare neglexerit ab hac hæretica foeditate, per
 Metropolitanum & ceteros Comprovinciales Episcopos excom-
 municationis vinculo innodetur, &, si satisfacere contempserit in-
 fra annum, significetur hoc Summo Pontifici, ut ex tunc ipse
 vassallos ab ejus fidelitate denunciaret absolutos, & terram exponat
 Catholicis occupandum, qui eam, exterminatis Hæreticis, sine
 ulla contradictione possideant, & in fidei puritate conservent, sal-
 vo jure Domini principalis, dummodo super hoc ipse nullum
 præstet obstaculum, nec aliquod impedimentum opponat, eadem

‘ if the *Temporal Lord*, being required and admonished by the *Church*, shall neglect to purge his Territories from *Heretical Fith*, he shall be excommunicated by the *Metropolitan* and his *Suffragans*; and if he neglect to give Satisfaction within a Year, this shall be signified to the Pope, that he, from henceforth, may pronounce his Subjects discharged from their Obedience, and expose his Territories to be enjoyed by *Catholicks*, who, having exterminated the *Hereticks*, shall possess it without all Contradiction, and keep it in the Purity of Faith, so that no Injury be done to the *Principal Lord*, who doth not oppose his Procedure; provided notwithstanding that the same Law take place against them who have no *Temporal Lords*.”

Now let it be observed, that both the *Councils* of * *Constance*, and of *Basil*, do reckon this *Lateran* among those *Councils* which all their *Popes* must swear to maintain to the least Tittle, and to defend even to Blood; and that the *Council* of † *Trent* not only hath declared it to be a general *Council*, but also doth affirm one of its Definitions to be the Voice of the whole *Church*, and therefore these three general *Councils* must be supposed to approve all that is cited from this *Council*. The general *Council* of † *Constance* decrees, that

nihilominus lege servatâ circa eos qui non habent Dominos principales, *Ibid.* p. 148, 149.

* Corde & ore profiteor fidem secundum traditionem octo Conciliorum generalium, necnon *Lateranensis*, *Lugdunensis*, *Vienensis*, *Constantiensis*, generalium etiam Conciliorum, & illam fidem usque ad unam apicem immutillatam servare, & usque ad animam & sanguinem defendere, & prædicare, *Concil. Constant.* Sess. 39. *Basil.* Sess. 37.

† Per *Lateranense Concilium* Ecclesia statuit. Sess. 14. c. 5.
 † Omnes & singulos Hæreticos hujusmodi, necnon Sectatores ipsarum Hæresum & Errorum utriusque sexus, tenentes, & etiam defendentes eosdem, aut Hæreticis ipsis quomodolibet,

“ all *Hereticks*, all *Followers* and *Defenders* of them,
 “ or *Partakers* with them, though they shine in
 “ the Dignity of *Patriarchs*, *Archbishops*, *Bishops*,
 “ *Kings*, *Queens*, *Dukes*, or any other Ecclesiasti-
 “ cal or Mundane Title, shall be pronounced ex-
 “ communicate in the Presence of the People every
 “ *Sunday* and *Holy-Day* : And that the *Archbi-*
 “ *shops*, *Bishops*, and *Inquisitors*, shall diligently
 “ enquire concerning them, who hold, approve,
 “ defend, dogmatize or receive such *Heresies* or
 “ *Errors* as they before had mentioned, of what
 “ Dignity, State, Pre-eminence, Degree, Order
 “ or Condition soever they are, and if they be
 “ found guilty or infamed, by their Authority
 “ shall proceed against them by the Punishments
 “ of *Excommunication*, *Suspension*, *Interdict*, as also

publice vel occulte, in divinis, vel alias participantes, etiam si
 Patriarchali, Archiepiscopali, Episcopali, Regali, Reginali, Du-
 cali, aut alia quavis Ecclesiastica vel mundana præfulgeant dig-
 nitate, — excommunicatos singulis diebus dominicis & festivis,
 in præsentia populi nuncietis, & per alios nunciari faciatis, &
 nihilominus contra eosdem omnes & singulos, utriusque sexus,
 hujusmodi errores tenentes, approbantes, defendentes, dogma-
 tizantes ac Fautores & Receptores & Defensores eorundem, —
 & quemlibet ipsorum, cujuscunque dignitatis, status, præemi-
 nentia, gradus, ordinis vel conditionis existunt, auctoritate no-
 stra diligenter inquirere studeatis, & eos quos per inquisitionem
 hujusmodi diffamatos, vel per confessionem eorum, vel per
 facti evidentiam, vel alias hujusmodi hæresis & erroris labe re-
 spersos reperietis, auctoritatè prædicta, etiam per excommunica-
 tionis, suspensionis, & interdicti, necnon privationis dignita-
 tum, personatum & officiorum, aliorumque beneficiorum Ec-
 clesiasticorum ac feudorum, quæ a quibuscunque Ecclesiis,
 Monasteriis, ac aliis locis Ecclesiasticis obtinent, ac etiam bo-
 norum & dignitatum secularium ---- & per alias pœnas, sen-
 tentias & censuras Ecclesiasticas, ac vias & modos quos ad hoc
 expedire, seu opportunos esse videritis, etiam per captiones &
 incarcerationes personarum, & alias pœnas corporales quibus
 Hæretici puniuntur, seu puniri jubentur, aut solent, juxta Ca-
 nonicas Sanctiones. *Concil. Constant. Sess. 45. apud Bin. To.*
VII. p. 1125.

‘ of *Deprivation* of their Dignities, Offices and
 ‘ Benefices Ecclesiastical, and also of their Secu-
 ‘ lar Dignities and Honours, and by any other
 ‘ Penalties, Sentences, Ecclesiastical Censures,
 ‘ Ways or Manners which they shall judge expe-
 ‘ dient, even by taking and imprisoning their
 ‘ Persons, and executing upon them any corpo-
 ‘ ral Punishments with which *Hereticks* use to be
 ‘ punished, according to the Canonical Sanctions.
 The general *Council* of *Siena* confirms this *Bull* of *Concil. To.*
Martin the Fifth, made with the Approbation *XII. p. 367*
 and Concurrence of the *Council* of *Constance*, and
 so, upon the matter, renews all the forementio-
 ned Decrees.

§. X. And whereas our dear *Lord* declares, *he*
came not to destroy Mens lives, but to save them, they
 have set up under the Banner of the *Cross* an *Host*
 of Men, on purpose to exterminate, destroy and
 butcher those whom they are pleased to call *Here-*
ticks, and, to encourage them in this *inhuman* ser-
 vice, do promise them the greatest Privileges.
 The * *Council* of *Bourges*, approved by the general
Council of *Basil*, declare, that War may justly be
 ‘ waged against condemned *Hereticks*, and that
 ‘ *Princes* and *Christian People* may be animated to
 ‘ fight against them.

The Fourth general *Council* of † *Lateran* de-
 crees, ‘ that they who under the Badge of the

* Si *Bohemi* non venerint ad Concilium sic solenniter man-
 dati, tunc Principes & *Christi* Fideles poterunt ad pugnam ani-
 mari: (& paulo post) juste induci possit bellum contra Hæreti-
 cos damnatos. *Append. ad Concil. Basil. apud Bin. To. VIII.*
p. 200.

† Catholici vero, qui Crucis assumpto charactere, ad Hæreti-
 corum exterminium se accinxerint, illa gaudeant indulgentia;
 illoque sancto privilegio sint muniti, quod accedentibus in ter-
 ræ sanctæ subsidium conceditur. *Concil. Lat. quartum, To. XI.*
p. 149.

' Cross will set themselves to exterminate *Here-*
 ' ticks, shall enjoy that Indulgence and that holy
 ' Privilege which is granted to them who go in
 ' Defence of the *Holy Land*, and that is, *full Re-*
 ' *mission of all their Sins* which they confess, and
 ' for which they have been contrite, and a great-
 ' er Degree of everlasting Happiness than others
 ' may expect. *Can. 3.*

The Third general *Council* of * *Lateran* decrees,
 ' They shall be taken under the Defence of the
 ' *Church*, and shall be secure from any manner of
 ' Molestation in their Goods and Persons, and
 ' shall have two Years release of the Penance en-
 ' joined them, and receive greater Indulgence at
 ' the Discretion of the *Bishops*." *Cap. 27.* The
 general *Council* of *Siena* decrees, that ' all who pro-
 ' secute and procure the Extirpation of the *Wickle-*
 ' *fists* and *Hussites*, shall enjoy all the Rights, Pri-
 ' vileges and Indulgencies concerning the Pardon
 ' of their Sins, which have been granted to them that
 ' rise up against *Hereticks*. And to † all that will

* Eos qui ardore Fidei ad (Hæreticos præfatos) expugnan-
 dum, laborem justum assumpserint, sicut eos qui sepulchrum
 dominicum visitant sub Ecclesiæ defensione recipimus, & ab
 universis inquietationibus tam in rebus quam in personis, statui-
 mus manere securos; & rursus fidelibus Christianis qui contra
 eos arma susceperint biennium de pœnitentia injuncta relaxa-
 mus, aut si longiorem ibi moram habuerint, Episcoporum di-
 scretioni, quibus hujus rei cura fuerit injuncta, committi-
 mus, ut ad eorum arbitrium secundum modum laboris, major
 eis Indulgentia tribuatur. *Concil. Lat. 3 cap. 27. apud Bin-*
To. VII. p. 662.

† Statuit hæc sancta Synodus, quod quicumque capientes Hæ-
 reticos, & in potestatem Ordinariorum vel Inquisitorum Hære-
 ticæ pravitatis effectualiter ponentes, vel eos, quos detinere, seu
 capere non possent, de eorum territoriis omnes expellentes, aut
 bannientes, seu etiam requisiti, brachium seculare contra eos
 præstantes, eam Indulgentiam consequantur quæ dari consuevit
 personaliter proficiscentibus in subsidium Terræ Sanctæ. *Con-*
cil. To. XII. p. 368, 369.

' prosecute

' prosecute those *Hereticks*, apprehend or bring
 ' them to the *Inquisitors*, or, if they cannot ap-
 ' prehend, will expel them from their *Territo-*
 ' ries, and, if they be required, fight against
 ' them; they promise all the *Privileges* granted
 ' to those who went to the Assistance of the *Holy*
 ' *Land*". So also doth the *Canon Law*. *Eugenius* *Decretal.*
 the Fourth, in his *Bull* of *Revocation* of the ge- *l. 5. Tit. 7.*
 neral *Council* of *Basil* objects this to them, ' That *cap. 13.*
 ' against the *Decrees* of the *Holy Fathers*, and
 ' the *Edicts* of *Emperors*, which deny the admit-
 ' ting *Hereticks* to Audience, and in prejudice to
 ' the Authority *Apostolick*, and the Authority of
 ' the *Holy Councils*, they had invited the *Bohemians*
 ' to dispute at *Basil*, about certain Articles con-
 ' demned by the *Decrees* of *Popes* and *Councils*, it
 being, saith he, notorious to the whole World,
 that the *Bohemian Hereticks* were maturely and so-
 lemnly condemned in the *Council* of *Constance* and
 in the *Council* of *Siena*, were by divers *Processes*
 of the *Apostle's See* and his *Legates*, aggravated
 once and again, and that War was proclaimed
 and the *Secular Arm** invoked against them. † ' He
 ' shall obtain of *God* the Kingdom of Heaven who
 ' dies for the defence of *Christians*, saith a *Lemma* of
 the *Canon Law*; the Words of the *Chapter* are said to
 be directed by *Leo* the Fourth, to the *French Ar-*
 my; and they spake thus, viz. * ' laying aside all

*Invocatione etiam auxilii brachii secularis, & publici belli in-
 dictione multiplici. *Bm. To. VIII. p. 267.*

† Coeleste Regnum a Deo consequitur qui pro Christianorum
 defensione moritur.

* Omni timore & terrore deposito, contra Inimicos Sanctæ
 Fidei, & Adversarios omnium Religionum agere viriliter stu-
 dete; novit enim Omnipotens si quilibet vestrum morietur,
 quod pro veritate Fidei, --- ac defensione Christianorum mor-
 tuus est, & ideo ab eo præmium coeleste consequetur. *De-*
cret. Part. 2, Caus. 23, qu. 8. cap. 9.

' Fear

‘ Fear and Terror, act boldly against the Enemies of the Holy Faith, and the Adversaries of all Religion; for the Omnipotent knows, that if any of you dies, he dies for the true Faith, the Preservation of his Country, and the Defence of Christians; and therefore he shall obtain of *God* a Heavenly Reward.

Concil. To.
XI. p. 619,
621.

§. XI. The last Punishment which these poor Creatures must undergo, is Death. They shall not be suffered to live, say the Constitutions of *Frederick the Second*. ‘ The *Patareni*, and all other *Hereticks*, shall be duly punished by the *Secular Judge*, ‘ they shall take them away by a *damnable Death*,

Concil. To.
XI. q. 423.

say the same Constitutions, *p. 619*. ‘ For their Extirpation, we decree, saith *Ludovicus* the Seventh, King of *France*, that, being condemned, they shall be punished with the Animadversion due unto them. So also doth the *Canon Law. Decretal. l. 5. tit. 7. cap. 13*. By the Statute of our King *Henry the Fourth*, against the *Lollards*, ‘ after the Sentence pronounced against these *Hereticks*; the Mayor, the Sheriff, or their Officers, who must be present at the Execution, must take them into their Custody, and burn them before the People in some eminent Place. *Concil. Tom. XI. part 2. p. 2101. A. D. 1408*.

pag. 619.

The Constitutions of *Frederick the Second*, decree, that ‘ the same Punishment shall be inflicted upon those who cherish and defend them.

‘ And upon all who having once abjured their *Heresy*, relapse into it. *Ibid. p. 620*.

If after Death they shall be found to have been *Hereticks*, ‘ their Bodies must be digged up, and their Bones burnt. *Concil. Albienſe, Can. 52. p. 727*.

‘ And the Temporal Lords, by the Diocesan, and the Inquisitors, must be compelled by Ecclesiastical Censures to dig up their Bodies. *Concil. Alb. Can. 27. p. 728*. More-

Moreover, ' The Sons and Nephews of *Hereticks*, or of their Receivers, Defenders or Favourers, must be admitted to no publick Offices, or Benefices Ecclesiastical or Secular, nor to succeed to the Inheritance of their Fathers. *Const.* *To. XI.*
Fred. 2. Innocent. 4. cap. 29. p. 608. Nich. 3. Bull. Ro. p. 622.
Const. 2. §. 21. These are the Laws established, *To. I. p. 182.*
 which lay an Obligation upon those of this Communion to punish *Hereticks*.

§. XII. And that what they have thus established may be inviolably observed, they decree,

1. That ' all the Governors forementioned must proceed according to their Constitutions, against all *Heresies*, extolling themselves against the Church of Rome. *Clem. Constit. 8. §. 2. ubi supra.*

2. That ' these Punishments of *Hereticks* must by no Means be relaxed. *Const. Innoc. 4. Cap. 32. Clem. 4. Const. 13. Leg. 34. Bull. To. I. p. 175.* *Pag. 608.*
 and as they must not be relaxed, so neither must they be delayed. For,

3. ' When any Person is condemned for *Heresy*, the Magistrate, within five Days, must execute the Sentence which hath past upon him.

Innoc. 4. Const. cap. 24. he must presently receive them into his Custody for that End. *Clem. 4. Const. Bull. Rom. p. 607.*

13. *Leg. 23.* ' He shall punish them without Delay. *Const. Ludovici, Regis Francorum.* And, *p. 174. To. XI. p. 423.*

4. That no Person may have any Temptation or Excuse, either for the relaxing or delaying of them, they are required to execute them without Enquiry made into the Justice of them: For by the Constitutions of *Innocent* the Eighth, ' All Magistrates, under the Penalty of Excommunication, must execute the Penalties by the Inquisitors imposed on *Hereticks*, without revising the Justice of them; because *Heresy* is a Crime merely Ecclesiastical. *Const. 10. Bull. Rom. To. I. p. 453.*

§. XIII.

To. XI. p.
609.

Bull. Rom.
To. I. p.
166.

pag. 609.

pag. 609.
Bull. Rom.
To. I. p.
175.
Sexti De-
cretal. l. 5.
tit. 2 c. 9.

To. XI. p.
604.

§ XIII. Moreover, that no Governor may plead Ignorance as to any of these *Laws*, by the *Constitutions* of *Innocent* the Fourth, 'Every Governor must have a Copy of these *Laws* inserted into the *Statute Book* of the City where he doth preside.' *Const.* 38. *Clemens* the Fourth commands 'All *Rulers* throughout *Italy*, to write down in their *Chapter-acts*, or in their *Books of Statutes*, the *Constitutions* set forth against *Hereticks* by *Innocent* the Fourth, and *Alexander* the Fourth, *Const.* 8. § 1. And,

2. 'If any blot out, diminish or alter any of these *Constitutions* without the consent of the *Apostolick See*, he must be proceeded against as a publick *Defender* or *Favourer* of *Hereticks*, *Innocent.* 4. *Const.* 34. *Clem.* 4. *Const.* 13. *Leg.* 37. p. 175. And that no Person may plead an *Obligation* by virtue of any other *Constitutions*, to neglect the *prosecution* of these *Laws*.

3. 'All *Statutes* contrary to these, throughout all *Italy*, must be abolished and rased out of all places and Cities within their Jurisdiction,' *Innocent.* 4. *Const.* 37. *Clem.* 4. *Constit.* 13. *Leg.* 39. By the *Constitution* of *Urban* the Fourth, 'The *Statutes* of any City, *Castle*, *Village*, or other place, whereby the business of the *Inquisition* of *Heretical pravity* is directly or indirectly hindred or retarded, are made void, and the *Rectors* and *Governors* of those places are, by *Ecclesiastical Censure* to be compelled to revoke them.

§ XIV. Again, That knowing of these *Constitutions* they may not dare to be remiss as to the Execution of them; at their Admission they must swear to the Observance of them, 'he who will not do so, must not be owned as a Governor in any Place in *Italy*, nor must any of his Acts be valid, nor any Person be obliged to perform the *Oaths* made to him, *Innoc.* 4. *Const.* 1. *Clem.* 4. *Const.*

4. *Const.* 13. *Leg.* 1. Nor is he, by the *Laws* of Frederick the Second, to be admitted as a Governor in any Place of the *Empire*. And these two *Constitutions* are made a Part of the *Canon Law*, as you may see, *Sexti Decretal.* l. 5. tit. 2. cap. 11. Bull. Rom. To. I. p. 173. p. 622.

If, having thus sworn, he shall neglect to observe all, and several of these *Constitutions*, he must be deposed of his Office and Government, and be henceforth incapable of any Dignity, Office and Honour, and must be prosecuted as a Person *infamous, perjur'd, suspected concerning the Faith*, and a *Favourer of Hereticks*, To. XI. p. 604. Bull. Rom. To. I. p. 173.

Const. Innoc. 4. *Const.* 1. *Clem.* 4. *Const.* 13. *Leg.* 2. If he do not proceed according to these *Rules* against all *Heresies* extolling themselves against the *Church of Rome*, he must be punished with an *Excommunication* and an *Interdict* upon his Jurisdiction, to be inflicted by the *Inquisitors* on all Refusers, *Constit.* 8. § 2. *Constit.* 13. § 2. p. 172. p. 166.

If any *Bishop* be negligent or remiss in purging of his *Diocess* from *Heretical Pravity*, he, by the * *Canon* of the Fourth general Council of *Lateran*, must be deposed from his *Episcopal Office*; and the same Punishment is threatned by the general Council of † *Constance* to all *Archbishops*, *Bishops*, or *Inquisitors* who are thus negligent and remiss, and also by the *Canon Law*, *Decretal.* l. 5. tit. 7. cap. 13.

* Si quis Episcopus, super expurgando de sua Diocesi Hæreticæ pravitatis fermento, negligens fuerit vel remissus, cum id certis indiciis apparuerit, ab Episcopali Officio deponatur, & in locum ipsius alter substituitur idoneus, qui velit & possit Hæreticam confundere pravitatem, *Concil. Lat. Can. 3. Concil. To. XI. p. 152.*

† Nos enim contra omnes Archiepiscopos, Episcopos, &c. qui super extirpando Hæreticæ pravitatis fermento, ---negligentes fuerint, ---usque ad privati nem seu depositionem Pontificalis Dignitatis procedere intendimus & procedemus, *Sess. 45. apud Bja. To. VII. p. 1122.*

‘ If

To. XI. p.
428.

‘ If any *Bailiff* be negligent in this Work, he
‘ must lose his Goods and be incapable of the
‘ Office, *Concil. Tolos. Can. 7. Concil. Albiense, Can. 1*

p. 723.

Concil. To.
XI. p. 698.

‘ If any Person whatsoever will not execute
‘ the sentence of the *Inquisitors*, he must be com-
‘ pelled to it by *Ecclesiastical Censures*; and if then
‘ he amend not, both his *Diocesan* and the *Inqui-*
‘ *sitors* must proceed against him as a *Defender* and
‘ *Favourer* of *Hereticks*. So the Council of *Valence*,

p. 726.

p. 727.

‘ *A.D. 1248. Can. 9. Concil. Albiense. Can 22. A.D.*
1254.

Vide Bul-
lam Ni-
chol. 3.

Const. 2.

§. 3. Bull.

Rom. To. I.

p. 182. &

Clem. 4.

Const. 13.

l. 27. p.

175.

To. XI. p.

495, 496.

§. XV. And that no Man may dare to give
these *Hereticks* Credit, or shew them the least Fa-
vour, they have decreed, 1. That all who are Be-
lievers of *Hereticks*, or give Credit to their Errors,

shall be condemned and punished as *Hereticks*, In-
noc. 4. *Const. 27.* Now such a one is he, (saith

‘ the *Provincial Council* of *Narbon*,) who shews

‘ them any Reverence, who believes that they,

‘ continuing in their Sect, may be saved, or may

‘ be good and holy Men, or Friends of God, or

‘ of good Life and Conversation, or that they

‘ who prosecute them do offend, *Can. 29.* They

‘ are to be reputed *Favourers* of *Hereticks* (saith

‘ the *Provincial Council* of *Narbon*,) who hinder

‘ the Correction or Extirpation of *Hereticks*, and

‘ those that believe them, or do not do that

‘ which without manifest Fault they cannot omit

‘ towards it; they greatly favour them who

‘ conceal them when they may and ought to re-

‘ veal them; they more, who by concealing of

‘ them maliciously endeavour to hinder their Ex-

‘ amination, Incarceration or Punishment; they

‘ most of all, who release them without the Con-

‘ sent of the *Church*, when they are taken or im-

‘ prisoned, or by whose Counsel, Aid or Com-

il. *Can. 16.*

‘ mand, such things are done: Nor are they free
from

from this Crime, who, having Opportunity of Place and Time, and Power to apprehend *Hereticks*, or help others so to do, wickedly let it slip, especially, when they are required to assist by others that are willing to apprehend them.

2. * If any *Believer, Receiver, Defender or Favourer* of *Hereticks*, being excommunicated, do not satisfy (the *Church*) within a Year, he from henceforward shall be infamous, and shall not be admitted to give Testimony, or to publick Offices, or to Councils, or to the Election of those that belong to them: he shall have no Power of making any Will, or succeeding to any Inheritance: No Man shall be obliged to answer him in any Cause, but he shall be compelled to answer others; if he be a *Judge*, his Sentence shall be void and null, nor shall any Causes come before him; if an *Advocate*, he shall not be admitted to plead; if a *Clerk* or *Notary*, the Instruments drawn by him shall be of no Moment. So the *Constit. Freder. 2. the Constitutions of Clement the Fourth, Const. 27.* And lastly, All this is confirmed by the Fourth general Council of *Lateran* in express Words, *Cap. 3. de*

Concil. To. XI. p. 622, 623. Bull. Rom. To. I. p. 182, 175. To. XI. p. 150. 149.

* *Credentes verò præterea, Receptores, Defensores & Fautores Hæreticorum, Excommunicationi decernimus subiacere: firmiter statuentes, ut postquam quis talium fuerit Excommunicatione notatus, si satisfacere contempserit infra annum, extunc ipso jure sit factus infamis, nec ad publica Officia, seu Consilia, nec ad eligendos aliquos ad hujusmodi, nec ad Testimonium admittatur: Sit etiam intestabilis, ut nec testandi liberam habeat facultatem, nec ad hæreditatis successionem accedat: Nullus præterea ipsi super quocunque negotio, sed ipse aliis respondere cogatur, quòd si fortè Judex exstiterit, ejus sententia nullam obtineat firmitatem, nec causæ aliquæ ad ejus audientiam perferantur; si fuerit Advocatus, ejus patrocinium nullatenus admittatur; si Tabellio, ejus instrumenta confecta per ipsum nullius penitus sint momenti, sed cum Autore damnato damnentur, *Concil. Lat. quartum, Can 3. Concil. To. XI. p. 149, 150.**

Hæreticis,

Hæreticis, and by the *Canon Law, Decretal. l. 5. tit. 7. cap. 13.*

Act. xxv.
16.

§. XVI. Moreover, for the Security and the Encouragement of such as shall accuse them; Whereas, according to the Laws of *heathen Rome*, no Man could be condemned, till he had his Accusers brought before his Face, they have decreed that ‘ the Names of the *Accusers* of *Hereticks* shall ‘ not be made publick either by Word or Sign, ‘ because this is the Pleasure of the *Apostolick See*.

Concil. To.
XI. p. 494.
p. 689,
690.

So *Concil. Narbon. A. D. 1235. Can. 22. Concil. Biter. A. D. 1246. cap. 10.* And whereas, in other

Cases, by the *Laws* of all *Nations*, notorious Criminals, infamous and perjur’d Persons, were not to be admitted to give Testimony against others, especially in Matters of Life and Death: All Criminals, and infamous Persons, though Partakers with them in their Crimes, may be admitted to accuse and testify against the *Hereticks*, *Concil.*

Ibid. p.
494, 690.

Narbon. A. D. 1235. Can. 24. Concil. Bitter. A. D. 1246. cap. 12.

§. XVII. Now suitably to these *Decrees* and *Principles* the *Pope* hath frequently proceeded, depriving *Civil Governours* of their *Dominions*, as being *Favourers* of *Hereticks*, or as neglecting to extirpate *Hereticks* out of their Territories. For * *Raimund*, Count of *Tolose*, was excommunicated by *Innocent* the Third, ‘ because he was a *Favourer* of *Hereticks*, and his *Dominions*, by the ‘ *Pope*, were given to any Person who would seize ‘ them. In the Year 1210. the *Citizens* of *Tolose* wereby the *Council* of † *Avignon* excommunicated,

* *Raimundus*, Comes *Tolosanus*, *Albigensium* Fautor, jam sæpius excommunicatus, cum & ditionem suam cuius occupanti a Pontifice concessam cerneret, &c. *Concil. To. XI. pag. 35.*

† In quo Concilio excommunicati fuerunt, & expositi, Cives *Tolosani*, pro eo quod ea quæ Legato, & Cruce signatis, promiserant, de expulsiōe *Hæreticorum*, adimplere contempserant. *Ibid. p. 35.*

‘ because

' because they neglected to perform what they
 ' had promised concerning the Expulsion of *Hereticks*. In a *Council* held at *Vaur*, A. D. 1213.
 ' * *Arnaldus* the *Popes* Legate, by the Apostolick
 ' Authority, doth admonish and command the
 ' King of *Arragon* to abstain from the Protection,
 ' Defence or Communion of *Hereticks*, threatening
 that ' otherwise he would pronounce against him the
 ' same *Censures* and *Ecclesiastical Punishments* which
 ' are denounced against them." Yea the *Pope*
 himself informs him, that if he proceeded to be a
 † *Favourer* of *Hereticks*, ' he could not spare him,
 ' nor delay his *Punishment*; and that he might by
 ' the Example of others, who of late had oppo-
 ' sed themselves to *God* and the *Church*, perceive
 ' what great Danger hanged over his Head." The occasion of all this was as followeth; *Peter*,
 King of *Arragon*, sollicit for *Raimund*, Count of
Tolouse, that he might be received into the *Church*,
 and for the * *Counts* of *Cominges* and *Fux*, ' That
 ' they might be restored to their own again.
 To this the *Council* answer, ' That Count *Comin-*
 ' ges had made a League with *Hereticks* and their
 ' *Favourers*, and that the Count of *Fux* was a Re-

* *Arnaldus* Apostol. Sedis Legatus, datis literis, Auctoritate
 Apostolica, Regem admonuit, quin etiam imperavit, ut a pro-
 tectione, defensione, communione que Hæreticorum abstineret,
 alioquin easdem censuras & poenas Ecclesiasticas in eum pro-
 nunciaret. Bin. To. VII. p. 792.

† Nec nos tibi contra Fidei Christianæ negotium possemus
 parcere vel deferre, quantum enim tibi immineret periculum,
 si Deo & Ecclesiæ, præsertim in causa Fidei, te opponeres ---
 moderna possunt te exempla monere. Concil. To. XI. p. 95.

* Ut Comes Convenarum restituatur ad terram suam, ut
 Comes Fuxensis restituatur ad sua. Concil. To. XI. p. 82. Pro-
 certo intelleximus, quod Comes Convenarum Fœdus cum Hæ-
 reticis & eorum Fautoribus contraxisset, constatque de Comite
 Fuxensi, quod Hæreticorum extitit a longo tempore Receptator,
 p. 83.

' receiver of them, and therefore his *Majesty* ought
 ' not to intercede for them till they have satisfy'd
 ' the *Church*." Whereupon the *King* sides with
 them, endeavouring to obtain by Force, what
 by Petition he could not obtain. In the Year
 1214. a *Council* met at * *Montpellier*, of five Arch-
 ' bishops, and twenty eight *Bishops*, who chuse the
 ' Count of *Montfort*, Prince and Monarch of the
 ' Dominions of the Count of *Toulouse*, the fore-
 ' mentioned *Favourer* of the *Albigenses*, ' desiring
 ' the *Pope's* Legate to confirm their Choice. He,
 having no Instructions touching this matter,
 acquaints the *Pope* with their Request, who doth
 immediately commit to him the Custody, and al-
 low him the Benefit of those Dominions, refer-
 ring the matter of the *Title* to the Decision of
 the fourth general *Council* of *Lateran*, then called,
 and the next Year assembled, which resolves the
 Case thus; ' That the *Pope* shall absolve the Sub-
 ' jects of such *Favourers* of *Hereticks* from their
 ' Allegiance, and expose their Territories to be
 ' enjoyed by *Catholicks*, who, having destroyed
 ' the *Hereticks*, shall possess it without any Con-
 ' tradiction, so that no Injury be done to the
 ' Principal Lord, who in this Case was the *French*
 King. In a *Council* held in the Province of † *Nar-*

Concil. To.
XI. p. 148,
149.

* In hoc tandem omnium & singulorum vota & consilia con-
 venerunt, ut nobilem Comitem Montisfortis eligerent in totius
 terræ illius Principem & Monarcham. — postquam ergo Ar-
 chiepiscopi & Episcopi elegerunt prænobilem Comitem, in-
 stantissime requisierunt a Legato, ut ipse statim traderet totam
 terram eidem Comiti. --- Dominus Papa --- commendabat Co-
 miti Montisfortis custodiendam, donec in Concilio generali,
 quod in Kalendis Novembris illius anni, Romæ convocaverat,
 de terris prædictis plenius ordinaret. *Concil. To. XI. p. 104.*

† Statuimus & præcipimus observari districte, ut *Raimundus*,
 filius *Raimundi*, quondam Comitis Tolosani, Comes Fuxensis,
&c. Tolosani *Hæretici*, Credentes, Fautores, Defensores & Re-
 ceptatores eorundem, Candelis accensis, pulsatis Campanis, de-

ben,

born, *An. Dom.* 1227. ' *Raimund*, the Son of *Raimund*, Count of *Toulouse*, the Count of *Fux*, the ' *Hereticks* of *Toulouse*, and the *Receivers*, *Believers*, ' *Favourers*, *Defenders* of them are denounced ex- ' communicate by Bell, Book and Candle, and ' are exposed, as to their Goods and Persons, to ' every one that can seize on them.

A. D. 1281. † *Martin* the Fourth doth pass the Sentence of Excommunication, actually incurr'd against ' *Michael Paleologus*, as being a Favourer ' of those Schismaticks, the *Greeks*, and therefore ' a Maintainer of *Hereticks*, and of their *Heresies* ' and *Schisms* --- and he, moreover, doth com- ' mand all Kings, Princes, Dukes, &c. and all ' other Persons, of what Dignity, Condition, or E- ' state soever, under the Penalty of the same Ex- ' communication, to make no Leagues or Confe-

nuncientur excommunicati, & expositi cuilibet occupanti, tam in rebus quam in personis per singulas Parochias, singulis diebus Dominicis Festivis. *Concil. Narbon. Can. 17. Concil. To. XI. p. 308.*

† *Michaelem Palaologum*, qui Græcorum Imperator nominatur, tanquam eorundem Græcorum, antiquorum Schismaticorum, & in antiquos Schismate constitutorum, & per hoc Hæreticorum, necnon & Hæresis ipsorum Schismatis antiqui Fautorem, de fratrum nostrorum Concilio denunciamus Excommunicationis Sententiam latam a Canone incurrisse, ac ipsius fore Sententiæ vinculo innodatum. Cæterum universis & singulis Regibus, Principibus, Ducibus, &c. & cæteris omnibus cujuscunque sint præminentia, conditionis aut status, --- districtius inibemus, ne cum eodem *Michaele Palaologo*, in hujusmodi Excommunicatione manente, societatem vel confederationem aliquam contrahere sub quovis ingenio vel machinatione præsumant; --- omnes & singulares personas contrarium facientes --- Sententiam Excommunicationis, quam nunc in ipsos ferimus, volumus incurrere ipso facto --- & nihilominus societates confederationum ipsos, etiam si poenarum & juramenti adjectione, vel quacunque fuerint alia firmitate vallatæ, decernimus irritas & inanes. *Mart. Const. Univ. Bull. Rom. To. I. p. 182, 183. §. 1, 2, 3.*

deracies with him; pronouncing all such Confederacies null and void, though they have been confirmed with an Oath, or any other Firmness whatsoever.

Extrav. Com. l. 5. tit. 10. cap. 3. A. D. 1307. *Clement* the Fifth, by the Advice of his Brethren, doth pass the very same Sentence upon *Andronicus Paleologus*, the Emperor of the *Greeks*, for the same Crime.

Spod. Anal. To. I. p. 418. §. 2. A. D. 1326. *Castrutius*, Governor of *Luca*, is condemned by the Pope's Legates, as a Persecutor of the Church, and a Favourer of *Hereticks* and *Schismaticks*, and is deprived of all his Dignities, and exposed to every one that would fall upon him.

16. p. 791. §. 1. A. D. 1425. *Martin* the Fifth pronounceth a most heavy and severe Sentence against the Person and Kingdoms of *Alphonfus*, King of *Arragon*, as being a Favourer of *Schism*.

Apud Sp. To. II. p. 297. §. 23. A. D. 1512. *Julius* the Second, having notice that the King of *Navar* favoured the Enemies of the Church, he recurr'd to that last Remedy which is wont to be used against Rebellious Princes, execrating the King and Queen of *Navar*, depriving them of their Dominions, and exciting all Princes to seize upon the common Prey. * *Henry* the Third of *France* spared the Blood of *Protestants*, and refused to declare his Successor incapable of the Succession, though he was a *Protestant*; wherefore *Sixtus* the Fifth, A. D. 1585. excommunicates him as a manifest Favourer of *Hereticks*, and grants nine Years of true Indulgence to any of his Subjects who would bear Arms against him, and doth absolve them all from their Al-

* Tanquam Sectariorum Fautorem & Defensorem publicum & manifestum. Vide Thuan. l. 82. p. 45. Bull. Sixti §. edit. A. D. 1585.

legiance to him. Upon this, his Subjects rebel against him, and *Fryer Clement* murders him.

A.D. 1592. *Clement* the Eighth declares, that *Henry* Spond. *ibid* the Fourth of *France* was unworthy of the King-^{p. 875.} dom, as being a Destroyer of the Orthodox Faith, and a Favourer of *Hereticks*, and therefore he commands the Election of another. §. 4.

A. D. 1570. * *Pius* the Fifth declares *Queen Elizabeth* a *Heretick*, and a Favourer of *Hereticks*, and for that Cause deprived of all Dominion, Dignity and Privilege whatsoever, and her Subjects absolved from their Oaths, and from all Duty, Allegiance and Obedience, by that Oath due unto her.

§. XVIII. Let it be then considered, that though *Councils* join with *Popes* in the making of *Canons*, yet by the *Constitutions* of that Church, the *Pope* alone is he to whom belongs the Execution, and the authentical Expounding of those *Canons*, as they must be reduced to Practice: And that the *Pope* is authorised by their † *Councils*, both to in-

* Declaramus prædictam *Elizabetham* Hæreticam. Hæreticorumque Fautricem, prætenso Regni prædicti jure, nec non omni & quocunque Dominio, Dignitate, Privilegioque privatam, & etiam Proceres, Subditos & Populos dicti Regni qui illi quomodocunque juraverunt a Juramento hujusmodi, ac omni prorsus Domini, Fidelitatis, & Obsequii debito, perpetuo absolutos. *Bull. Pii Quinti. Bullar. To. 2. p. 303.*

† Nos enim unum Ecclesiæ corpus sumus, & ipse hujus corporis caput sub Capite *Christo*, quicquid igitur sit ab hoc corpore Ecclesiastico, ab ipso magis quam ab alio corporis membro procedere censetur, itaque non secus Synodalia Decreta pro suo debito & honore exequi debet, ac per alios servari facere, quam si ab ore proprio dictata & promulgata essent. *Resp. Synod. Basil. apud Binium, To. 8. p. 141. A. C. D.*

Quoties aliqua de universali Synodo aliquibus dubitatio nascitur, ad recipiendam de eo quod non intelligunt rationem, si qui salutem animæ suæ desiderant, ad Apostolicam Sedem pro recipienda ratione conveniant. *Decret. part 1. dist. 17. cap. 4.* Si quid eos de judicio universalis Synodi quod *Constantinopoli* per

interpret and to execute their *Canons* during the Interval of their *Sessions*. And then, this being well considered, you will find Reason to conclude, that their whole *Church* is very much concerned in what the *Popes* do practise by virtue of those *Canons*, or in pursuance of them. And unless that Practice of the *Popes* in Execution of the *Canons*, which is allowed by *Councils* themselves, during the Intervals of their sitting, may be reputed the Practice of their *Church*, I cannot imagine how they can impute any thing to their *Church* which is not done in *Councils*: And if that only which is done in *Councils* must be reputed as done by the *Church*, the *Church* must wholly be unactive in the Intervals, and unable to exercise any Authority by virtue of such *Canons* as have no *Authenticall Expofitor*, and no Man *authorised* to execute them.

§. XIX. Moreover, though any *Prince*, who hath embraced the *Romish* Faith, should promise not to prosecute his *Protestant* Subjects according to the Tenor of these severe and sanguinary Laws, yet cannot his most solemn Promises give to them any just Security of Freedom and Exemption from these Punishments. This will sufficiently appear, if we consider,

I *That the same impulse of Conscience that makes a Man a R. Catholick, will also make him act like one when he hath opportunity to do it; it therefore must*

primam nuper elapsedam indictionem actum est, forte movebat ad Sedem Apostolicam Electis aliquibus de suis dare & accipere rationem possent dirigere debuerant. *Decret. part 2, caus. 23. qu. 5. cap. 43.*

Si in his recipiendis aliqua difficultas oriatur, aut aliqua inciderit quæ ad declarationem, quod non credit, aut definitionem postulant, confidit Sancta Synodus B. R. Pontificem curaturum, *Cre. Synod. Trident. Sess. 25. p. 648.*

engage him to believe that the *Decrees* of * general *Councils* concerning the Punishment of *Hereticks* must in themselves be just and equitable, and fit to be observed by him; and that the practice of the whole *Roman Church*, pursuant to them, for the space of three whole Centuries, must be a cogent Demonstration of the Reception and Approbation of those Laws throughout all *Catholick Kingdoms*; that he who doth not punish *Hereticks*, according as these Laws require, must be guilty of the Crimes with which these Laws do charge him, and well deserves the Punishments they have decreed against him; and that whosoever doth exterminate and punish *Hereticks*, as they encourage him to do, shall certainly obtain the Blessings which they promise to him for that Act. How can a *Popish Prince* abstain from thus reflecting with himself? Either the *R. Councils provincial* and

* Nec quisquam illud dicere presumat quod aliquod generale Concilium legitime congregatum errare possit, quia si hic perniciosus Error admitteretur tota Fides Catholica vacillaret, uec aliquid certi in Ecclesia haberemus, quia qua ratione errare potest unum, possint errare & reliqua Concilia. *Basil. apud. Bin. To. 8. p. 128.* Blasphemia esset, si quis negaret Spiritum Sanctum dicere Sententias Canones & Decreta Conciliorum. *Ibid. p. 131.* Hæreticum illum fateri debetis qui putat Concilium generale in his quæ ad Fidem seu bonos mores N. B. pertinent posse errare, *p. 135.* Est certa regula, indeficiens mensura, Cunctos fideles rectissime regulans, quæ crædenda aut agenda sunt saluberrime demonstrans, *p. 206.* De Hæresi suspectum rogari vult Concilium Constantiense utrum credat quod illud quod Sacrum Concilium universalem Ecclesiam repræsentans approbat in favorem Fidei & salutem Animarum sit ab universis *Christi* fidelibus approbandum & tenendum, & quod condemnat esse Fidei & bonis moribus contrarium hoc ab iisdem esse tenendum pro condemnato. *Seff. 45. Bin. Concil. To. 7. p. 1124.* Cætera item omnia ab Oecumenicis Conciliis, ac præcipue a sacrosancta Tridentina Synodo tradita, definita & declarata, indubitanter recipio, atque profiteor; simulque contraria omnia, atque Hæreses quascunque ab Ecclesia damnatas & rejectas & anathematizatas, ego pariter damno, rejicio & anathematizo. *Pii quarti forma Juramenti professionis fidei ab Ecclesiasticis R. Ecclesiæ suscepti.*

general, and the great *Monarch* of the *Church* do well in animating and exciting all *R. Catholicks* to fight against all *Hereticks*, expel them out of their *Dominions*, and execute these *Laws* upon them; and in proposing the *Rewards* forementioned, as *Blessings* certainly to be obtain'd by all who do engage under the *Banner* of the *Cross* for their *Destruction*. And all the *Roman Catholicks* did well, who, in *Obedience* to their *Commands*, and *Expectation* of these *Blessings*, hazarded, and lost their *Lives*, by their *Endeavours* to extirpate *Hereticks*, or who did *murther* and *massacre* so many *millions* of *Hereticks*. And consequently, I also shall do well, and may expect these *Blessings*, by acting as they did; or else these *Popes* and *Councils*, and all those *R. Catholicks*, who fought, or acted, or did encourage others to act thus against all *Hereticks*, were truly guilty of all the *Christian Blood* which in those *Wars*, between the *Heretick* and *Catholick*, was spilt, and all the barbarous *Massacres* and horrid *Murthers* which have been committed upon *Hereticks*. And if so, Why do I own that *Church*, that *Pope*, those *Councils*, who have been guilty of these horrid *Crimes*, and these notorious *Marks* of *Antichrist*; and which hath often *sainted*, but never in the least discountenanced, but kept communion and good correspondence with the *Authors* of them.

2. This further will appear, if we consider that the same *Principles* which do oblige a *Popish Prince* to own that *Faith*, oblige him also to execute these sanguinary *Laws* upon the *Heretick*, whatsoever *Promises* or *Obligations* he hath made unto the contrary. That he is subject to a *Power* which can absolve him from all *Obligations* of this nature which he at any time shall make, and which already hath declared that it is not in his power to make them, or to observe them when they have been
been

been made. That they are prejudicial to that *superior Tribunal* of the *Church* to which he must be subject, and made concerning *Heresy*, of which, as being a Spiritual Concern, he must not judge, nor of the Punishments belonging to it, or of the Lawfulness of the Suspension of those Punishments. All this 'tis easy to demonstrate. And,

1. According to plain Reason, *When two Princes, that have distinct Tribunals, make Laws or Constitutions thwarting on the other, the Constitutions of the inferior Tribunal must give place to those of the superior*: but by the Principles of the Communion of the *Roman Church*, the *Ecclesiastical Tribunal* is superior to that of *Princes*; since then it is decreed by that *Tribunal*, as we have seen already, that all *Catholick Princes* shall faithfully endeavour to extirpate *Hereticks* from their Dominions, and that all *Constitutions* made to the contrary are *ipso facto* void; no *Constitutions* made by *Princes* in favour of *Heretical Subjects* can be observed by them, or be of any moment in prejudice to the Determinations of the *superior Tribunal* of the *Church*. Now that, according to the Principles of *R. Catholics*, the *Ecclesiastical Tribunal* is superior to that of *Princes*, is evident.

1. From exprefs Declarations of the *Church* in her most general and approved *Councils*. * *Ægidius Viterbiensis* saith, with the great applause and approbation of the Fifth *Lateran Council* under *Julius the Second*, that *no Kings, or Princes can neglect the Commands, or refuse the Authority of their general Councils*. The *Council* of † *Constance* declares,

* Cujus quidem nulli Reges, nulli Principes possunt vel Decreta contemnere, vel Jussa negligere, vel Autoritatem detrectare. *Apud Bin. To. 9. pag. 11.*

† Ipsa Synodus in Spiritu Sancto legitime congregata---potestatem a *Christo* immediate habet, cui quilibet, cujuscunque status vel dignitatis, etiamsi Papalis existat, obedire tenetur in his
that

‘ that, being a general *Council*, it hath Power immediately derived from *Christ*, which every person of what State or Dignity soever he be, even his *Holiness* himself, is bound to yeild obedience to, in matters which concern Faith, the Extirpation of the present *Schism*, and the Reformation of the *Church*. The general *Council* of * *Basil*, in the second Session, renews the same Decree: And Session 12th, doth challenge, ‘ by vertue of the Omnipotent God, immediate Power over all faithful *Christians*: And, Session 33d they declare this to be ‘ a Doctrine of the *Catholick Faith*, ‘ which he that pertinaciously resists is a *Heretick*: And Session 45th they add, that it is an Article ‘ which cannot be neglected, without the loss of ‘ *Salvation*.

2. This will appear from exprefs Acts of Jurisdiction excercised by them over *Kings* and *Princes*, for to omit the frequent *Excommunications*, and Sentences of Deprivations pass’d upon *Emperors* and *Kings* in the Fourth general *Council* of *Lateran*, *Can.* 3. in the general *Council* of *Lions*, *Conc. To. XI. p.* 645. in the *Council* of *Pisa*, *Sess.* 14. in the general *Council* of *Constance*, *Sess.* 12, 17, 37. of *Basil*, *Sess.* 27, 34, 40, 41. all which expressely have decreed, that *Emperors* and *Kings*, for Misdemean-

quæ pertinent ad fidem & extirpationem dicti Schismatis, & reformationem generalem Ecclesiæ Dei in capite & membris, *Concil. Const. Sess.* 4, 5. *Basil. Sess.* 2.

* Hæc Sancta Synodus in virtute Omnipotentis Dei, a quo super omnes *Christi* fideles immediate potestatem vendicat, &c. *Concil. Basil. Sess.* 12. *Bin. To. 8. p.* 39. F. Veritas de potestate Concilii generalis universalem Ecclesiam representantis super Papam, & quemlibet alium, est veritas fidei catholicæ--veritatibus duabus prædictis pertinaciter repugnans, est censendus Hæreticus. *Ibid. Sess.* 33. *p.* 95. F. A. Hic Articulus de quo disceptamus fidem concernit, qui sine interritu salutis negligi non potest. *Ibid. Epist. Synod. p.* 139.

ors mentioned there, *shall lose their Dignity and Honour, and be deprived of their Government*; I say, to pass by this, they frequently demonstrate their supposed Power over them by laying their Commands upon them; *We enjoin Princes, saith the Fourth * Lateran Council, cap. 67. and the Council of Vienna. We command secular Princes, saith the Fourth Lateran Council, cap. 68. We peremptorily enjoin them, saith Julius the Second, with the Approbation of the Fifth Lateran Council. We command that they be compelled by the secular Power, saith the Fourth Lateran Council, cap. ult. and the general Council of Lions, cap. Super Cruciata.*

3. Their Canon Law is full of Constitutions to this effect, declaring, that, † ‘When the things of God are treated of, the King must study to subject his Will to the Will of the Priests, and not prefer it before theirs; that the Law of Christ sub-

* Per censuram Ecclesiasticam compellantur seculares Potestates. *Concil. Lat. quartum, cap. 3. Principibus injungimus, cap. 67. Præcipimus Præsumptores hujusmodi, per Principes seculares compesci, cap. 68. Per secularem compelli præcipimus potestatem, cap. ult. Principibus injungimus, Concil. Viennense apud Bin. To. 7. p. 870. Per secularem compelli præcipimus potestatem. Concil. Lagdun. Bin. To. 7. p. 858. Eis (Principibus & Regibus) in virtute sanctæ obedientiæ, autoritate a Deo universali Ecclesiæ concessa, districtè præcipiendo mandamus, Concil. Basil. Bin. To. 8. p. 207. Sacro approbante Concilio—Nos laicos—cujuscunque dignitatis, etiamsi Regalis extiterint,—peremptorie—requirimus, Concil. Lat. quintum, apud Bin. To. 9. p. 48, 49. Cogantur omnes Principes, Concil. Trid. Sess. 25. De Retorm. cap. 20.*

† Lemma. In Ecclesiasticis causis Regis voluntas Sacerdotibus est postponenda.

Certum est hoc rebus vestris esse salutare, ut cum de causis Dei agitur, juxta ipsius constitutionem, Regiam voluntatem Sacerdotibus *Christi* studeatis subdere, non præferre. Ecclesiasticam formam sequi, non huic humanitus sequenda jura præfigere, neque ejus Sanctionibus velle dominari, cujus clementiæ voluit Deus tuæ piæ devotionis colla submittere. *Decret. part 1. dist. 10, cap. 3.*

‘jects

jects *Kings* to the Priesthood of *Christ*, and puts them under their Tribunals; that *Christian Emperors* ought to subject their Executions to the *Prelates* of the *Church*, and not prefer them to theirs, because *God* would have them to be subject to the *Priests* of the *Church*. By the same Law it is determined that * *Kings* must follow the *Church* Form, and not prescribe human Laws to her, nor seek to domineer over her *Constitutions*, but submit their Necks to her Clemency. And, that they ought to yeild obedience to the Laws of the *Church*, and not exalt their Power above her.

2. According to the Principles of that Communion, all Princes must submit to, and obey the Definitions of their general *Councils*, and the Determinations of the *Church* in Cases Spiritual, because she is their only Guide in Spirituals: This being therefore a spiritual Case, viz. how far the *Civil Magistrate* doth stand obliged to punish *Hereticks*, the *Romish Prince* must stand to her determination in that matter, and therefore is obliged to act according to the Decrees forementioned, which firmly are establish'd by the *Church*, whatsoever Promises or Oaths he may have made unto the contrary. Now that the Cause of *Heresy*, and of the Punishments to be inflicted on the *Heretick*, is by them judged a *Spiritual Cause*, with which the *Civil Power* must not intermeddle, is

* *Lemma*. Imperatores debent Pontificibus subesse, non præesse. Ad Sacerdotes Deus voluit que Ecclesiæ disponenda sunt pertinere, non ad sæculi potestates, quas si fideles sunt, Ecclesiæ suæ Sacerdotibus voluit esse subjectas.---Imperatores Christiani subdere debent Executiones suas Ecclesiasticis Præsulibus, non præferre; obsequi solere Principes Christianos Decretis Ecclesiæ, non suam præponere potestatem, Episcopis caput subdere Principem solitum, non de eorum capitibus judicare. *Decret. part. 1. dist. 96. cap. 11, 12.*

evident from that Decree of *Boniface the Fifth*, which strictly doth forbid 'all Powers, Lords Temporal, and Rectors, with their Officers, to judge or take cognizance of that Crime it being merely Ecclesiastical, or to free them out of Prison without the Licence of the Bishops or Inquisitors, or to refuse to execute the Punishments enjoyned by them, or any way directly or indirectly to hinder their Process or Sentence, under the pain of *Excommunication*, which if they obstinately lye under for a Year, they are to be condemned as Hereticks; and this Decree is taken into the Body of the Canon Law, and is confirmed by the general Council of *Constance*, Sess. 45. 'The Crime of Heresy must be judged only by the Ecclesiastical Court, and the Secular must not meddle with it, saith *Gregory the fourteenth*, Const. 7. §. 6.

Sexti Decretal. l. 5. tit. 2. cap. Inquisitionis negotium.

Bull. Rom. To. 7. p. 708

3. No Promises, Oaths or Engagements can oblige to the omission of that which is our Duty, by the Confession of all Christians, they cannot bind, * saith their own Canon Law, to any thing which is against the benefit of Holy Church; for according to the Determination of *Innocent the Third*, received into the Body of that Law, 'they are not to be called Oaths, but Perjuries, which are attempted against the Benefit of the Church.† They cannot bind against the Right of a Superior, for the same Law declares that in any Oath that is taken, the Right of the Superior must be supposed to be excepted; they cannot bind against the Law, or the Canonical Sanctions, for otherwise, saith the same Law, * 'it is a rash

* Non juramenta, sed perjuria potius dicenda sunt, quæ contra utilitatem Ecclesiasticam attentantur. *Decretal. l. 2. tit. 24. cap. 27. quia non.*

† Juramentum prædictum vos excusare non potest, in quo debet intelligi jus Superioris exceptum. *Ibid. cap. 19.*

* Debet ita intelligi, ut non obviet juri, alias tanquam temerarium non obligat. *Cap. 21. ad nostrum.*

' Oath,

Oath, and is not valued. Since then, according to the Doctrine of the *Church*, 'tis the Duty of all *Catholick Princes* to punish and extirpate *Hereticks*; they cannot be obliged by any Oath or Promise to neglect that Duty, since this Neglect is against *Law* and the *Canonical Sanctions*, against the plain Determinations of the *Supreme Tribunal*, and against the benefit of *H. Church*, no Oath or Promise can oblige them to it, And.

4. They who do claim a Power to absolve *Catholick Princes* from their Contracts, Leagues and Engagements made to *Heretical Princes*, must have an equal Power to absolve them from Contracts made with their own *Heretical Subjects*, for sure the Contracts made with Equals must be more firm than those which we have made to our Inferiors; but the *Pope* claims, and oft hath exercised this Power of *absolving Catholick Princes* from their Contracts made with other *Princes* on this account, because they were made with *Hereticks*, or Persons excommunicate. *Ergo*, &c. To give some few Examples of this matter, the Bull of † *Urban* the Sixth concerning this matter runs thus; ' Amongst the

+ Inter sollicitudines varias quibus assidue premimur, illa potissimum excitat mentem nostram, ut circa salutem animarum *Christi* fidelium sollicitis studiis intendamus, & ne fideles ipsi ex consortio & participatione Schismaticorum seu Hæreticorum labefactari valeant, adhibeamus remedia opportuna. Ad nostrum nuper pervenit additum, quod tam *Wencelaus*, Roman. & Bohem. Rex, quam *Carolus R.* Imperator, simul, vel successive, nonnullas confederationes, vel colligationes, seu ligas, aut conventiones cum diversis Regibus, Principibus, &c. secerunt, & quod aliqui ex hujusmodi Regibus, Principibus, &c. tunc erant, seu postea sunt effecti Schismatici seu Hæretici manifesti, & ab unitate sanctæ R. & universalis Ecclesiæ separati: nos igitur attendentes quod hujusmodi confederationes, colligationes & ligæ, seu conventiones factæ cum hujusmodi Hæreticis aut Schismaticis, postquam tales effecti erant, sunt temerariæ, illicitæ, & ipso jure nullæ, & si forte ante ipsorum lapsum in schisma seu hæresin factæ fuissent, etiam si forent juramento seu fide data firmatæ, aut confirmatione Apostolica, vel quacunque firmitate alia roboratæ,

many

' many Cares which we continually are prest with,
 ' our chief concernment is, to provide fit Reme-
 ' dies for the preventing the Subversion of the
 ' Faithful by conforing, or by participating with
 ' *Schismaticks* or *Hereticks*: and truly we have late-
 ' ly heard, saith he, that *Wencelaus*, King of the
 ' *Romans* and *Bohemians*, and *Charles* the *Emperor*
 ' have entred into some Considerations, Leagues,
 ' Compacts or Conventions with divers *Kings*,
 ' *Princes*, *Dukes*, *Earles*, *Grandeess* and *Nobles* ;
 ' some of which *Kings*, &c. then were, or after-
 ' wards have become manifest *Hereticks* and *Schis-*
 ' *maticks*, being separated from the Union of the
 ' *Roman Church*, though not by us declared such ;
 ' we therefore, considering that such Confedera-
 ' cies, Leagues Compacts or Conventions made
 ' with these *Hereticks* and *Schismaticks*, after they
 ' were such, are rash, void and null by Sentence
 ' of the *Law* ; but if they were made before their
 ' falling into *Schism* and *Heresy*, and confirmed by
 ' an *Oath*, or by the *Apostolick See*, or by whatso-
 ' ever firmness, as soon as they become guilty of
 ' these Crimes, the *King*, and all that with him

postquam tales, ut præmittitur, sunt effecti, eo ipso tam idem
 Rex, quam alii, qui forsân una cum eo hujusmodi confœderationes
 & cum talibus inierunt, & ad quos tales confœderationes
 quomodolibet extendi possunt, ab earum observatione absoluti ex-
 istunt---eundem Regem & omnes alios quorum interest, vel in-
 teresse poterit, autoritate Apostolica, tenore præsentium declara-
 mus fuisse & esse ab earundem confœderationum, colligationum,
 ligarum, seu conventionum observatione penitus absolutos, & ad
 eorum observationem aliquatenus non teneri, illasque quatenus
 de facto processerunt, cassamus, revocamus, ac nullius esse decer-
 nimus firmitatis ; & tam eidem Regi quam etiam omnibus hu-
 jusmodi aliis quorum interest, seu interesse potest, tenore præsen-
 tium districtius inhibemus, ne confœderationes, colligationes, li-
 gas aut conventiones hujusmodi aliquatenus observent, seu ab a-
 liis servari quomodolibet permittant. *Bulla Urbani Sexti in Bib-*
lioth. D. R. Cotton. Vide Crackenthorp. Defens. Eccles. Angl.
cap. 83. p. 626, 627.

' have

‘ have entred into these Compacts, is absolved from
 ‘ the observation of them, and ought not to observe
 ‘ them: Therefore we, by our *Apostolical Authority*,
 ‘ declare the said *King* absolved from them, and the
 ‘ Compacts themselves to be wholly void and null.
 Pope *Martin* the Fifth, in his *Epistle* to * *Alexander*
Duke of Lithuania, who had received the *Bo-*
hemians into his Protection, writes thus; ‘ If thou
 ‘ hast been any ways induced to promise to de-
 ‘ fend them, know, that thou couldst not pawn
 ‘ thy Faith to *Hereticks*, the Violators of the Holy
 ‘ Faith; and that thou mortally offendest, if thou
 ‘ dost observe it. When † *Uladislaus*, King of
Hungary, had made Peace with *Amarath* the *Turk*
 for Ten Years, and had confirmed it with an Oath;
 The Pope * *Eugenius* the Fourth writes to *Julian* the
Cardinal, to perswade him to violate that Peace,
 alledging and declaring, ‘ that no League made
 ‘ with the Enemies of the *Christian Faith*, without
 ‘ consulting with the *Pope*, is valued: Hereupon
 the poor *King* is prevailed with to become a most

* Quod si tu aliquo modo inductus, defensionem eorum sus-
 cipere promissisti, scito, te dare fidem Hæreticis, Violatoribus
 sanctæ fidei, non potuisse, & peccare te mortaliter si servabis.
Cochleæus Hist. Hussit. l. 5. ad An. 1423. Spondan. *ad An.* 1422.
 § 1. p. 779.

† Fœdus cum *Amarathre* in decem annos ab *Uladislaw* ini-
 tum, idemque sanctissimis juramentorum vinculis utrinque fir-
 matum erat. *Ænæas Sylv. ep.* 81. Bonfin. l. 3. dec. 6. Spon-
 dan. *ad An.* 1444. § 3. p. 904.

* *Æn. Sylvius* ait *Eugenium* R. Pontificem—ea re audita,
 scripsisse *Juliano*, nullum valere fœdus quod se inconsulto cum
 hostibus Religionis percussum est, *Uladislaw* Regi, uti conventa
 dissolveret, imperasse, juramenta remisisse, novum instaurari bel-
 lum tum precibus, tum minis extorsisse. Spond. *ad An.* 1444.
 § 10. p. 907. *Julianus* Cardinalis ait fas esse quandoque publicæ
 salutis gratia, neque stare pactis quæ illi contraria, neque perfidis
 fidem servare—ac ne qua Rex, proceresque tenerentur jusjurandi
 Turcis præstiti Religionæ, ea se illos auctoritate Pontificis, cujus
 legatione fungebatur, liberare. Spondan. *ibid.* p. 905.

perfidious

perfidious Wretch, and fall upon the *Turk* un-
wares, which he observing, and, being straitned
in his Armes, pulls out the Articles of the Cove-
nant, and, looking up to Heaven, cries out, *

‘ O crucified *Jesus*, see the Perfidiousness of
‘ this Nation, which, against their *Oath*, have
‘ violated all Right and Faith; and if thou
‘ art a *God*, do thou revenge this *Perjury* upon
‘ them. Which was no sooner said, but the *Chri-*

stians were put to Flight, the perjur’d *King*, and
the *Cardinal*, who persuaded him to violate his
Oath, were both slain; *God* teaching us by this
Example, saith † *Æneas Sylvius*, that *Oaths* are to
be kept, when made, not only with the Faithful,

but with Enemies. Pope *Immoent* the Third, in *A.D. 1213*
his *Epistle* to *Peter*, King of *Arragon*, writes thus:

‘ * We enjoin thy Serenity, by virtue of the *Holy*
‘ *Spirit*, that thou desert the forenamed People
‘ of *Tolouse*, and that thou dost not afford them
‘ any Counsel, Aid or Favour, whilst they conti-
‘ nue as they are, notwithstanding any Promise
‘ or Obligation whatsoever made unto them, in
‘ Elusion of the *Ecclesiastical Discipline*. *Paul* the
Third, in his *Bull* against *Henry* the Eighth, edit.
A. D. 1538. † ‘ exhorts and requireth, in the

* *Hæc sunt, Jesu Christi, fœdera quæ Christiani tui tecum
percussere, per nomen tuum sancte jurantes, nunc, si Deus es,
tuas measque hic injurias, te quæso, ulciscere. Bonfin. Ibid.*

† *Juramenta non solum domesticis fidei, sed & hostibus ser-
vanda. Ibid.*

* *Serenitati tuæ, in virtute Spiritus Sancti, sub obtentu Divi-
næ ac Apostolicæ Gratiæ providimus injungendum, ut prænomi-
natos deseras Tolosanæ, non obstante promissione, vel obligati-
one quacunque præstita, in elusionem Ecclesiasticæ Disciplinæ;
ipsis quamdiu tales extiterint non impensurus consilium, auxili-
um vel favorem. Concil. To. XI. p. 94.*

† *Omnes & singulos Christianos Principes, quacunque etiam
Imperiali & Regali Dignitate fulgentes, hortamur, & in Domi-
no, requirimus, — ne Henrico Regi per se, vel alium seu alios,*

H

‘ Lord,

Lord, all *Christian Princes* shining in Imperial or Regal Dignity, that they do not, under Pre-
 tence of any Confederations or Obligations
 whatsoever, although corroborated by frequent-
 ly repeated *Oaths*, or any other Firmness, I say,
 he doth exhort them, not to yield to King
Henry, his Accomplices, Favourers, Adherers,
 Consultors or Followers, or any of them, by
 themselves or others, openly or secretly, di-
 rectly or indirectly, tacitly or expressly, any
 Counsel, Aid or Favour: And that they might
 not think themselves obliged so to do, he ab-
 solves them all from all Oaths or Obligations
 made or to be made unto him or them, and de-
 clares them to be void and null, and of no
 Strength and Moment." And lastly, *Pius* the
 Fifth absolves not only all the Subjects of *Q. Eli-*
zabeth, but also all others who had in any for-
 sworn to her.

Cateres

*Omnes qui
 illi quomo-
 docunque
 juraverunt*

Vide su-
 pra, §. 17.

5. They who do claim a Power to absolve Sub-
 jects from these Promises and Oaths by which
 they were obliged to yield Obedience to their
Heretical Princes, must have an equal Power to ab-
 solve *Catholick Princes* from their Promises and
 Oaths made to *Heretical Subjects*, for sure the Ob-
 ligation of *Princes* to their *Subjects* cannot be grea-
 ter than is that of *Subjects* to their *Prince*: Now
 it is known, that *R. Popes* and *Councils* claim the

publice vel occulte, directe vel indirecte, tacite vel expresse, e-
 tiam sub pretextu confederationum aut obligationum quarum-
 cunque, etiam juramento, aut quavis alia firmitate roboratarum
 & saepius geminarum, consilium, auxilium vel favorem quo-
 modolibet praestent. *Bull. §. 15. ubi supra.*

A quibus quidem obligationibus & juramentis omnibus, nos
 eos & eorum singulos --- per praesentes absolvimus, ipsasque
 confederationes & obligationes tam factas quam in posterum
 faciendas, --- nullius roboris vel momenti, nullasque irritas, cas-
 sas, inanes, ac pro infectis habendas fore decernimus & declara-
 mus. *Ibid.*

Power

Power of absolving Subjects from that Obedience which they have sworn to yield to their *Heretical Superiors*: *Ergo*, by the same *Principles* they must have Power to absolve *Catholick Princes* from those Promises and Oaths which they have made to their *Heretical Subjects*. To give some Instances of this kind, * ‘ Let them know, saith *Gregory the Ninth*, ‘ who were bound by any Bond, how firm soever, ‘ to Persons manifestly fallen into *Heresy*, that ‘ they are absolved from that Fidelity, Obedience and Homage which they were obliged to ‘ pay them: ” And this Decree is put into the the Body of the *Canon Law*, and hath, saith † *Singleton*, been still commended and observed in the *Church Practice* about 400 Years. The Truth and Modesty of which Assertion, as to the Limitation of it to 400 Years, will be abundantly made good by the following Instances.

In the Eighth Century, *Sigonius* and others do inform us, that * ‘ *Rome*, and the *Roman Dutchy* ‘ were lost by the *Grecians*, by reason of their ‘ wicked *Heresy*, and got by the *Pope of Rome*.” That wicked *Heresy* of *Leo Isiaurus*, which lost him the *Empire* of the West, was this, that he forbad the Adoration of Images, and pull’d

* Absolutos se noverint a debito fidelitatis, & totius obsequii quicumque lapsis manifesto in hæresin, aliquo pacto, quacunque firmitate vallato, tenebantur obstricti. *Decretal. l. 5. tit. 7. cap. 16.*

† Tota Ecclesia plusquam quatuor seculis hoc Decretum recepit, laudavit, & in praxi servavit. *Discuss. Decret. Concil. Lat. p. 98.*

* Ita Roma, Romanusque Ducatus a Græcis ad Romanum Pontificem, propter nefandam eorum hæresin impietatemque pervenit. *Sigon. de Regno Italia, lib. 3. Et rursus*, Extabant præclara, *Gregorii 2. & 3. exempla*, qui *Leoni Isiauro Imperatori* Sacris interdicare, & juramenta Italiæ obedientia spoliare non dubitarent, uno eo crimine, quod Imaginibus se inimicum præbuisset, *l. 9. p. 219.*

them down every where, for this * *Gregory* the Second persuades the *Italians* to revolt from him, as being a *Heretick*, absoives them from their Oaths of Obedience to him, and strictly doth forbid them to pay him any Tribute or Obedience; whereupon they, rejecting the *Emperór*, do bind themselves by Oath to be obedient to the *Pope*. This is the Title by which the *Pope* holds *Rome* at present, even plain Rebellion and tyrannical Invasion of his Sovereigns Estate and Dominions. Now by this Action, saith *Baronius*, he left to Posterity a worthy Example, that *Heretical Princes* should not be suffered to reign in the Church of *Christ*, if, being warned, they were found pertinacious in Error." The next Successor of *Gregory* the Second, was † *Gregory* the Third, who as soon as he had obtained the Papal Dignity, by the Consent of the *Roman* Clergy, deprived *Leo* the Third, *Emperór* of *Constantinople*, both of his *Empire* and the Communion of the Faithful, because he had swept away the H. Images out of the Church.

In the Eleventh Century, *Gregory* the Seventh writes thus, * 'either King *Philip* of *France*, re-

* Romanis ipse persuadebat, si perstiterit *Leo*, ab eo tanquam Hæretico deficient, ac tandem Italos jurejurandi religione absol-
vebat. *Blond. Decad. 10. lib. 1.* Ita dignum posteris reliquit
exemplum ne in Ecclesia *Christi* regnare sinerentur Hæretici
principes, si, sæpe moniti, in errore persistere, obstinato animo,
invenirentur. *Baron. An. 730. §. 40.*

† Hic statim ubi Pontificatum iniit, Cleri *Romani* consensu.
N. B. *Leonem* Tertium, Imperatorem *Constantinopolitanum* Im-
perio simul, & Communione Fidelium privat, quod sanctas I-
magines e sacris ædibus abrafisset, & Statuas demolitus esset,
quodque etiam de hæmæso male sentiret. *Platina. p. 99.* Ita-
lia ab Imperatore *Constantinopolitano*, *Leone* hæretico *Ichonoma-*
cho, Auctore *Gregorio* Tertio, Papa defecit. *Onuphrius ad*
An. 731.

* Aut Rex ipse, repndiato turpi *Symoniacæ* hæresis mer-
cenio, idoneas ad sacrum Regimen personas promoveri per-
jecting

jecting the filthy Merchandise of *Symoniacal Heresy*, will permit fit Persons to be chosen into the Government of the *Church*, or the *French* will refuse to obey him any longer, unless they had rather cast away the *Christian Faith*, being smitten with the Sword of a general *Anathema*. Where you see plainly, that the *Pope* supposes *Heresy* to be a Crime sufficient not only to justify Subjects in their refusal of Obedience to their lawful *Prince*, but also to justify him in excluding them from the Communion of *Christians* who obey him.

In the Twelfth Century, to give the better Colour to the Deposition of *Henry* the Fourth and *Henry* the Fifth, it was first voted in a *Council* held at the *Lateran*, 1102. That it was *Heresy* to assert *Bin. To. 7. p. 533.* the Right of Laymen to invest into Ecclesiastical Pre-ferments. And this Decree was renewed in a *Council* at * *Vienna*, Anno Domini, 1112. and by another held at the *Lateran*, A. D. 1116. and, *Pag. 554.* in pursuance of these Decrees, were these two *Emperors* deposed. But notwithstanding all the Thundrings of *Paschal* the Second against *Henry* the Fourth, the *Church* of *Leod* stood firm to him, which so incensed the good *Pope*, that he writes to *Robert*, Count of *Flanders*, to expel those *Schismatics* out of the *Church*: His Words are these; † ' It is just that they who have separated them-

mittet, aut Franci pro certo, nisi fidem Christianam abjicere maluerint, generalis Anathematis mucrone percussi, illi ulterius obtemperare recusabunt. *Greg. 7. Epist. l. 1. Ep. 35. Concil. To. 10. p. 34.*

* Dictante Spiritu S. investiturum omnem rei Ecclesiasticæ de manu laica, hæresin esse judicamus. *Concil. Vien. Bin. To. 71. p. 549.*

† Nam in hac non tantum parte, sed ubique, cum roteris, *Henricum* Hæreticorum Caput, & ejus Fautores pro viribus persequaris, nullum profecto gratias Deo Sacrificium offerre pote-

' selves from the *Catholick Church*, should be sepa-
 ' rated from the *Churches Benefices*; wheresoever
 ' therefore thou art able, do thou persecute *Hen-*
 ' *ry*, the Head of the *Hereticks*, N. B. and
 ' all his *Favourers*, with all thy Might, for truly
 ' thou canst offer no more acceptable Sacrifice to
 ' *God*, than by impugning him who hath lifted up
 ' himself against *God*; who by the Judgment of
 ' the *Holy Spirit* (*O horrid Blasphemy*) is cast out
 ' of the *House of God* by the *Princes of the Apo-*
 ' *stles* and their *Vicars*; this we command thee to
 ' do for the obtaining the Remission of thy Sins,
 ' and the Familiarity of the *Apostolick See*;' which,
 as it seems, cannot be more effectually obtained
 by any thing than by *Rebellion* against *God's Vice-*
gerent, and persecuting him with all our Might.

In the Thirteenth Century, in the Year of our
 Lord, 1245. Pope *Innocent* the Fourth assembles a
 general *Council* at *Lyons*, where he declares the
 Emperor *Frederick* the Second guilty of *Heresy*,
 ' * because he violated his *Oaths*, and because he

ris, quam si eum impugnes qui se contra Deum erexit, qui Ec-
 clesiae Dei Regnum auferre conatur, ---- qui a Principibus Dei,
 sanctis Apostolis, eorumque Vicariis de Ecclesiae domo Sancti
 Spiritus iudicio expulsus est. Hoc tibi, & militibus tuis in pec-
 catorum remissionem & Apostolicæ sedis familiaritatem præcipimus,
 ut his laboribus ac triumphis ad coelestem Hierusalem, Domino
 præstante, pervenias. *Paschal. 2. Ep. 7. Bin. To. 7. p. 517.*

* De Hæresi quoque non dubiis & levibus, sed evidentibus ar-
 gumentis suspectus habetur, plura siquidem eum commisisse
 perjuria satis patet. ---- privilegium insuper quod *B. Petro*, &
 Successoribus ejus in ipso tradidit Dominus, &c. quodcumque li-
 gaveris, in quo utique autoritas & potestas Ecclesiae Rom. con-
 sistit, pro viribus diminuerè, vel ipsi Ecclesiae auferre satagit. ----
 merito insuper contra eum de hæretica pravitate suspicio est ex-
 orta, cum ---- claves Ecclesiae contempserit, ---- & constanter asse-
 ruit se *G. Papæ* sententias excommunicationis non vereri, ---- cum
 Religiosas & alias Ecclesiasticas jugi attriverit afflictione & perse-
 cutione personas, ---- nonne igitur hæc non levia, sed efficacia
 sunt argumenta de suspicione hæresis contra eum, cum Hæreticis

diminished

diminished the Privilege granted to the Successors of St. Peter, in these Words, *Whatsoever thou shalt bind on Earth, &c.* and contemned the Keys of the Church, which, saith he, must be Heresy, seeing the Civil Law declares him a Heretick, and worthy to be punished as such, who in a light Matter doth deviate from *Catholick Religion.* Then follows his Deposition of the Emperor in these Words: 'We therefore, after mature Deliberation had with our Cardinals, and with the Sacred Council, upon the Premises, declare the forementioned Emperor—deprived by God of all Honour and Dignity, and, by our Sentence, we deprive him of them, perpetually absolving all his Subjects from their Oaths of Fidelity to him, and by our Apostolical Authority forbidding them to acknowledge or obey him hereafter as Emperor or King; and decreeing, that all who under that Relation yield him Counsel, Aid or Favour, shall be *ipso facto* excommunicate.'

A. D. 1254. Innocent the Fourth pronounceth Spond. an Anathema, on Maunday Thursday, against Ece- To. 1.
linus, Governour of Marchia Tarvisina, as being p. 188.
a manifest Heretick, and frequently excommuni-

corum vocabulo illos Jus civile contineri asserat, & latis adversus eos sententiis debere succumbere, qui vel levi argumento a iudicio Catholicæ Religionis & tramite detecti sunt deviare--- Nos itaque, super præmissis, cum fratribus nostris, & Sacro Concilio deliberatione præhabita diligenti,--- memoratum Principem--- omni honore & dignitate a Domino privatum denunciamus, ac nihilominus sententiando privamus, omnes qui ei juramento fidelitatis tenentur adstricti a juramento huiusmodi perpetuo absolventes, autoritate Apostolica firmiter inhibendo ne quisquam de cætero sibi, tanquam Imperatori vel Regi pareat, & decernendo quoslibet qui ei deinceps velut Imperatori Consilium vel Auxilium præstiterint, seu favorem, ipso facto excommunicationis vinculo subiacere. Innocent. 4. in Concil. Lugd. Concil. To. XI. p. 645.

P. 197.

cated upon that Account. And A. D. 1256. he gathers an Army of *Crusado's* against him.

Spond.

To. 1.

p. 405. §. 5.

In the Fourteenth Century, A. D. 1322. *John* the Twenty Second excommunicates *Matthew*, Viscount of *Milan*, his Sons and Abettors, as being *Hereticks* and *Schismaticks*, passeth upon them the Sentence of Deprivation of all their Goods, Deposition from all Office and Dignity Ecclesiastical and Secular, of Inability to any other, and exposes their Persons to be seized upon, and treats with *Frederick* of *Austria*, King of the *Romans*, about sending an Army into *Lombardy*, to suppress them.

p. 409. §. 2.

A. D. 1324. *John* the Twenty Second commands *Lewis* of *Bavaria* to cease from all Administration of the *Empire*, and never to assume it again, without the Approbation of the *Apostolick See*; and this was done, as for other Reasons, so in particular this, that *Lewis* had shewed Favour and Patronage to Count *Galeatus*, and his Brethren, who had been lawfully condemned for *Heresy*, and to some others who had rebelled against the *Church*.

p. 412. §. 3.

An. Do. 1124. this *Pope* pronounces the *Emperor* contumacious and deprived of all Right to the *Empire*, reserving to himself the inflicting of other Penalties upon him, if ever he endeavour to meddle with the Administration of the *Empire*, or should presume to favour the forementioned *Hereticks* and *Rebels*, forbidding all the Subjects of the *Empire*, under most grievous Penalties, in any manner to obey him, to call him *Emperor*, or yield him

p. 453. §. 1.

any Aid or Favour. An. Dom. 1335. *Benedict* the

p. 456. §. 23

Twelfth renews this Sentence of *John*. And the next Year the *Emperor* makes a large Promise of doing almost any thing the *Pope* would ask, and giving Power to his own Subjects to rise up against him, if he did not perform it; and yet this was not thought sufficient to expiate the Guilt of fa-

vouring

youring *Hereticks* and *Rebels* to the *Church* of *Rome*, and doing that which was at *Rome* esteemed *Here-* p. 457. ib. sy. He therefore proceeds to confess that he had done ill in Favoured the Viscount of *Milan* and others condemned by the *Church* as *Hereticks* and *Schismatics*: That in his *Appeal* made against *John* the 22^d, he had said many *heretical* things; that he would make a full Confession of these things, and would supplicate for Absolution; and take an Oath *stare mandatis Ecclesiæ*, to obey the Commands of the *Church*, and to extirpate *Hereticks*; and yet all this would not prevail for the obtaining of his Pardon. A. D. 1343. *Clement* the p. 474. §. 2. Sixth renews the same Sentence against the *Emperor*; and the Conditions which he required, in order to his Absolution, were, that he should *An. Dim.* 1334. confess his *Heresies* and *Errors*, of which he was p. 478. §. 1. accused, and that he should resign the *Empire*, not re-assuming it, but by the Favour of the *Pope*; that he should deliver up his Sons, Goods, and his whole Concerns, into the Hands and Will of the *Pope*, all which the *Emperor* promised to do; and yet this would not satisfy. A. D. 1345, p. 481. and 46, the *Emperor* is again deposed, and his p. 493. Subjects are absolved from their *Oaths* of *Allegiance* to him. So dreadful was it even for *Emperors* to be esteemed *Hereticks*, or *Favourers* of *Hereticks*, or *Friends* to them who have been *Rebels* to the *Church* of *Rome*.

A. D. 1363. *Urban* the Fifth pronounceth *Barnabas*, Duke of *Milan*, a *Heretick* and *Schismatick*, p. 557. §. 1. anathematized by the *Church*, and for that Cause deprives him and his Posterity of all Honour, Dignity, Privileges and Jurisdiction, absolves his Subjects from their *Oaths* of *Fidelity* to him, and also frees his *Wife* from the Bond of Matrimony; and he subjecteth all that did aid or favour him to the same Punishments; and granteth plenary Indulgence

Indulgence to all *Crusado's* that would fight against him.

In the Fifteenth Century, *A. D.* 1453. * *Nicholas* the Fifth, in his Epistle to all the Faithful, by his *Apostolical Authority*, excites *Charles VIII.* King of *France*, to extirpate the Perverseness of *Amideus*, Duke of *Savoy*, the *Antipope*, with all his *Favourers* and *Adherers*, as being guilty of *Schism* and *Heresy*, and being therefore excommunicated and anathematized, and he moreover gives him all the Dominions and Goods belonging both to the *Duke* and all his *Favourers*, promising full Pardon of all his Sins, and an Augmentation of the Rewards of eternal Life, to them who would go in Person with the *King of France* to fight against them: and this he did after mature Deliberation had with his good Brethren the *Cardinals*.

Spond.

To. 2.

p. 88. §. 8.

p. 87. §. 5.
6, 7.

A. D. 1462. *Sigismundus Maletusta*, for the Crime of *Heresy*, is by Pope *Pius* the Second deprived of his Dominions and all his Goods. In the same Year, *George*, King of *Bohemia*, sends to Pope *Pius* the Second, desiring him to confirm the Indulgence granted to the *Bohemians* by the general Council of *Basil*, and confirmed by *Eugenius* the Fourth, concerning the Receiving the Communion in both Kinds. The *Pope* answers by minding

* Consideratione præmissorum, diligenti cum fratribus nostris deliberatione præhabita, ad ipsorum *Amidei* Fautorum proterviam extirpandam--- *Carolus* Francorum Regem auctoritate Apostolica, præsentium tenore vocamus, eique Ducatum Sabaudia, omnemque ipsius *Amidei*, nectorii Schismatici, Hæretici excommunicati & anathematizati terram, ac ejus fautorum, adhærentium, complicum & sequacium bona, diversimode hætenus confiscata, donamus. --- Et ut tam salubre negotium in Manu forti & robusta procedat, --- nos omnibus, qui cum Rege præfato, contra *Amideum* & sequaces eosdem, in propriis personis, propriisque expensis processerint plenam suorum peccatorum veniam indulgemus, & in retributione justorum, vitæ æternæ pollicemur augmentum. *Ep. 2. Concil. To. 13. p. 1322, 1323,*

him of his *Coronation Oath*, in which he had promised Obedience to the *See of Rome*, and commands him therefore to comply with that *Church*. The *King* replies, that indeed he had sworn, *hereticam privitatem e Regno abjicere*, to expel *Heresy* out of his Kingdom, but that he never esteemed the Receiving the Sacrament in both Kinds to be *Heresy*, and that he would live and die in the Practice of it. Then the *King* enquires of the *Hussites*, whether, if War should be waged against him upon this Account, they would stand by him? who answer, like good Subjects, that they would do it with their Lives and Fortunes. But putting the same Question to the *Catholicks*, they answer fraudulently, that when the Honour of God and Justice was not violated, they would not be wanting to assist the *King* and *Kingdom*. For this the *Pope* prepares to execute his Censures on the *King*, nulls the Contract of Agreement made betwixt him and his rebellious Subjects of *Breslaw*, in which they promised Submission to him, he absolves them from their Promise, commands the *King*, and all other Persons, under the Penalty of Excommunication, not to hurt them, or to compel them to obey him, and exhorts all *Princes* to be assistant to these *Rebels* and *Truce-breakers*, against all Invaders. *A.D.* 1466. *Hynco*, one of the *King's* Nobles, being besieged by the *King* in a Town called *Zaraste*, escapes privily in the Night, and flies to *Paul* the Second, who presently, in favour of this Criminal, pronounces an *Anathema* against all who did not presently quit the Siege, and the Town notwithstanding being taken, he sends *Rudolph*, his Legate, to try the *Princes* of *Germany*, whether they would not hinder the *Pope's* Proceedings against *King George*; their Answer is, *That the Pope knew what was his Duty, and they would do what became Catholicks; but*
that

that they could not break their League with him till the Church had declared him a Heretick. In the mean time all the Catholick Nobility of Bohemia rebel against him, and desire the Pope to absolve them from their Oath of Obedience to him, which, when they had joined with the Inhabitants of Breslaw and other Rebels, is granted to them, the King himself is cited to Rome, Rudolph is commanded to procure Aid against him, and to gather an Army of Crusado's for that Purpose, which presently he doth, and forceth the King from a Town that he besieged. And, because the King appeared not at Rome, and desisted not from persecuting the Catholicks, by the Advice of the Cardinals and all the Doctors of Divinity and of the Canon Law, he is pronounced a perjured, sacrilegious Heretick, then the Pope deprives him, as being a Heretick, of all Honour and Dignity, absolves his Subjects from their Obedience to him, and declares him and his Posterity incapable of any Dignity; and lastly, offers his Kingdom to Casimirus King of Poland.

p. 108.
§. 2. 3.

p. 112,
§. 6.

I. In the Sixteenth Century, * ' Paul the Third, An. Do. 1538. with the consent of his Cardinals,

* Quasdam Leges seu generales Constitutiones edere non erubuit, per quas Subditos suos ad quosdam Hæreticos & Schismaticos Articulos tenendos, inter quos & hoc erat, quod R. Pontifex, caput Ecclesiæ & Christi Vicarius non erat, & Quod ipse in Anglica Ecclesia supremum Caput existeret, sub gravibus etiam mortis pœnis cogebat, § 1. habita itaque cum venerabilibus Fratribus nostris S. R. E. Cardinalibus deliberatione matura, & de illorum consilio & assensu per viscera misericordiæ Dei hortamur & requirimus in Domino quatenus Henricus R. a prædictis erroribus prorsus absteat, & constitutiones seu leges prædictas revocet, casset & annullet, §. 4. hoc præcepit sub majoris excommunicationis latæ sententiæ pœna, § 6. nec non rebellionis & quod Henricum R. etiam perditionis Regni & Dominiorum prædictorum, § 7. ipsiusque Henrici R. ac Regni, omniumque aliorum Dominiorum, Civitatem, Terrarum, Castrorum, &c. Magistratus, Judices, Castellanos, Custodes & Officiales quoscunque, necnon Communitates, Universitates, Collegia, Feudatorios, Vas
declares,

declares, that *Henry* the Eighth of *England*, under severe Penalties required his Subjects to hold some Schismatical and Heretical Articles, amongst which was one, That he himself, and not the *Pope*, was the supreme head of the *Church of England*: These Errors he requires him to desist from, and to abrogate the Laws made against the *Pope's* Supremacy; declaring that if he did not yeild to this Injunction, he should incur the Sentence of the greater Excommunication, under which Sentence if he continued Ninety days, and did not within that time appear at *Rome*, he, in the space of three days after, should incur the Penalty of Deprivation of his Kingdoms and Dominions passed upon him. Moreover, he absolves his Subjects from their Oaths of Fealty and Subjection to him, commanding them, under the Penalty of Excommunication, not to obey him or to acknowledge him as their *Superior*.

A. D. 1570. *Pius* the Fifth declares 'Queen *Elizabeth* a Heretick, whereupon he deprives her of §. 17.

her pretended N. B. Royal Right and all Dominion, Dignity and Privilege whatsoever, and declares all her Subjects, and all others who had sworn to her, absolved from their Oaths, and from any Obligation of Allegiance or Obedience to her. An. Dom. 1585. *Sixtus* the Fifth pronounceth † ' *Henry* of *Navar* and the *Prince* of

filios, Subditos, Incolas & Inhabitatores & etiam Forenses, dicto Regi de facto Obedientes, tam seculares quam si qui rationes aliqujus temporalitatis ipsum *Henricum* R. in superiorem recognoscant etiam Ecclesiasticos. N. B. A juramento fidelitatis, jure vasallitico, & omni erga Regem & alios prædictos subjectione absolvimus & penitus liberamus, § 10. Bull. R. To. 1. p. 516. &c.

† *Navarrum* & *Condaum* tanquam Sectarios & in Errore relapsos, Sectariores Fautores, ac Defensores publicos ac manifestos, Divinæque Majestatis Reos, & Fidei Catholica Hostes proscribit, & *Navarrum* quidem omni Jure quod in *Navarræ* Regno sibi competere contendit, & ea parte quam nunc occupat excidisse:

Conde

' Conde to be *Sectaries* relapsed into Error, manifest
 ' *Favours* and publick *Defenders* of *Sectaries*, that
 ' is *Hereticks*, *Rebels* to the *Divine Majesty*, and
 ' *Enemies* to the *Catholick Faith*; having done this,
 ' he deprives them and their Posterity for ever
 ' of their *Domimions* and *Kingdoms*, absolving
 ' their *Subjects* from their *Allegiance* to them; in
 ' these words, ' By the Authority of these Pre-
 ' sents we do absolve and set free all persons as
 ' well jointly as severally from any such Oath,
 ' and from all Duty whatsoever in regard of Do-
 ' minion, Fealty and Obedience, and do charge
 ' and forbid all and every of them, that they do
 ' not dare to obey them, or any of their Admo-
 ' nitions, Laws and Commands.' After the Death
 of *Henry* the Third, by the barbarous Murther
 of Fryer *Clement*, the *Parisians* send to the *Sorbon*
Doctors to know if it were Lawful to submit to *Hen-*
ry of *Borbon*, to whom the Crown of right belong'd,
 their Answer is at large recorded in *Thuanus*, and
 briefly is to this effect, * ' that *Catholicks*, by the

Condemum autem & utriusque Successores omni Principatus, &
 Dignitatis jure in præsens & in posterum paritur excidisse, indig-
 nosque esse ipsos, & eorum Successores qui in illum Principatum,
 ac speciatim in Regnum Franciæ succedant, hac Sententia pro-
 nunciat, Subditosque obsequii Juramento solvit. *Thuanus*, l. 82.
 p. 45.

* Ad hoc capita, post Spiritus Sancti invocationem, *N. B.* re-
 sponsum, Jure Divino *N. B.* prohiberi Catholicos hominem *Se-*
ctarium, aut *Sectarii* mali Fautorem, & Ecclesiæ manifestum ho-
 stem, multoque magis relapsum, & a Sancta Sede nominatim ab
 Unione Catholica exclusum, ad Regnum admittere, --- & quemad-
 modum qui *Henrico* ad Regnum aspiranti favent, aut Suppetias
 ferunt, Religionis Desertores sunt, & in peccato cum vitæ æter-
 næ dispendio degunt; ita qui se illi pro Religionis defensione op-
 ponunt, plurimum apud Deum & homines mereri, & ut illos in
 hostes generis humani Regno stabiliendo pertinaces, æterna pœna
 manet, sic hos, si ad sanguinis usque effusionem resistent, æter-
 num in Cœlo præmium, & ut Fidei Propugnatores, immarces-
 cibilem Martyrii Coronam proculdubio consecutores. *Thuanus*
lib. 98. p. 70, 71.

Divine,

Divine Law, were forbidden to admit to the
 Kingdom a *Sectary*, or a *Favourer* of a *Sectary*,
 and a manifest *Enemy* of the *Church*, much more
 one that had relapsed, and was by name exclud-
 ed from the *Catholick Union* by the *Apostolick*
See; that all who favour or assist him were guil-
 ty of damnable Sin, and would infallibly be
 damned, and all that did resist him unto Blood,
 would die *Martyrs*, and enjoy an everlasting Re-
 ward in Heaven. But it is needless to multiply
 Examples of this Nature in a Case defined by two
 general *Councils*: First, that of *Lateran*, under *Alexander*
 the Third, *A. D.* 1179. which *cap.* 27.
 speaking of certain *Hereticks* there mentioned, *
 Let all Men, say they, know, who any way
 stand bound to them, that as long as these *He-*
reticks persist in their Iniquity, they are relaxed
 from all Fealty, Homage and Obedience due
 to them.' The Second is, the Fourth *Council* of
Lateran, under *Innocent* the Third, which, as you
 have already heard, declares, That 'if the *Tem-*
poral Lord neglect to purge his Territories from *Cincil. To.*
Heretical Pravity, notice must be given of his *XI. p. 148,*
Remissness to the *Pope*, that he from hence-
 forth may pronounce his *Subjects* discharged from
 their Obedience, and give his Dominions to
Catholicks. 149.

Moreover, in Compliance with these *Popish*
Principles, we find that *Popish Princes*, who had
 made these Promises, did notwithstanding prose-
 cure their *Protestant Subjects* with the greatest Ri-
 gour, and act clear contrary to the Engagements
 made unto them. Our own Dominions will afford
 a sad and lamentable Instance of this thing. For,

* Relaxatos autem se noverint a debito fidelitatis & hominii,
 & totius obsequii, donec in tanta iniquitate permanerint, qui-
 cunque illis aliquo pacto tenentur annexi. *Bin. To. 7. p. 662.*

when

Dr. Bur-
net's Hist.
of the Re-
formation,
B. 2. Part
2. p. 237.

See The
Policy of
the Clergy
of France,
p. 22. 32.
36. 40, 46.

p. 135.

when the Men of *Norfolk*, and a great Body out of *Suffolk*, desired to know of *Queen Mary*, whether she would alter the Religion set up in *King Edward's Days*, she gave them full Assurance, that she would never make any Innovation or Change, but be contented with the private Exercise of her own Religion. And, on the 12th of *April*, she made an open Declaration in Council, That, although her Conscience was stay'd in the Matters of Religion, yet she was resolved not to compel or strain others, otherwise than *God* should put into their Hearts a Persuasion of that Truth she was in; but, notwithstanding these Engagements, as soon as she was well established in the Throne, she presently began, and did continually promote the Burning of her *Protestant Subjects* only for their Religion sake. Another Instance of like nature we have in *France*; where, notwithstanding all the *Edicts* made in favour of the *Protestants*, their Temples are demolished, they are rendred incapable of all Charges of Magistrature, they are abandon'd to Injustice and Violence; their Children are often taken up in the Streets, shut up in Cloysters, and they never hear more of them; they are deprived of all Means of gaining their Livelihood, and are not allowed to be of Arts and Trades, though the *Declarations* and *Edicts* expressly bear they shall be received into them. *England*, saith the *Hugonot*, there, more Favour hath been given to the *Catholicks* than was promised them; but in *France*, where we live under favourable *Edicts*, they have promised us what they have not performed; it is only to us that they make Profession of not performing what they have promised; the *Edicts* of Pacification are in all the Forms that perpetual Laws ought to be, they are verified by the *Parliaments*, they are confirmed

confirmed by a hundred *Declarations*, and by a thousand *Royal Words*, they have been laid as irrevocable *Laws*, and as *Foundations* of the *Peace* of the *State*, we rely upon the good Faith of so many Promises, and on a sudden we see snatch'd from us what we look'd upon as our greatest Security ; thus there is neither *Title*, nor *Prescription*, nor *Edicts*, nor *Arrests*, nor *Declarations*, that can put us in Safety.

§. XX. But lastly, That which chiefly doth confirm this Truth is, the Proceedings of the general Council of *Constance* against *John Hus*, who being summoned by *Sigismund* the *Emperor* to appear before that *Council*, to take away all Fears and Jealousies of what he might expect to suffer from them, the *Emperor* grants him *Safe-Conduct*, *Ut Liber Epist. Joh. Huss. A. 1537. f. 1.* *Constantiam veniens e converso redire ad Bohemiam possit* ; ' to return from *Constance* to *Bohemia*, and ' promisseth he would receive him into the *Safe-* ' guard and Protection of the *Empire* ; and com- ' manding all *Princes* of his *Dominions* to permit *Ibid f. 2.* ' him freely to come thither, stay and continue ' there, and to return from thence. But notwithstanding this, he had not been above three Weeks in *Constance*, but, contrary to his *Safe-Conduct*, he is thrown into Prison ; which being done in the *Emperor's* Absence, he returns to the *Council*, and argues the Case with them, upon which they pass the Decree contained in the Nineteenth Session of that *Council*, in these Words ; * ' This ' present Sacred *Synod* declares, that by whatso-

* Præsens Sancta Synodus ex quovis salvo conductu per Imperatorem, Reges, & alios seculi Principes, Hæreticis, vel de hæresi defamatis, putantes eosdem sic a suis erroribus revocare, quocunque vinculo se astrinxerint, concessio, nullum fidei Catholicæ vel jurisdictione Ecclesiasticæ præjudicium generari, vel impedimentum præstari posse seu debere declarat, quo minus dicto salvo conductu non obstante, liceat judici competenti Ecclesiastico

*Jam co-
mittimus
animam
tuam Dia-
bolo. Ibid.*

‘ ever *Safe-Conduct*, granted by the *Emperor, Kings*, or
 ‘ other secular *Princes* to *Hereticks*, or such as are de-
 ‘ famed for *Heresy*, and by whatsoever Bond they
 ‘ have obliged themselves to the Observance of
 ‘ it, no Prejudice can arise, no Impediment can
 ‘ or ought to be put to the *Catholick Faith*, or
 ‘ other *Ecclesiastical Jurisdiction*, but that (not-
 ‘ withstanding the said *Safe-Conduct*) it may be
 ‘ lawful for any Competent and Ecclesiastical
 ‘ Judge to enquire into the Errors of such Per-
 ‘ sons, and duely otherways proceed against
 ‘ them, and punish them so far as Justice shall
 ‘ require, if they shall pertinaciously refuse to
 ‘ revoke their Errors; yea, though they come to
 ‘ the Place of Judgment, relying upon such *Safe-
 ‘ Conduct*, and would not otherwise come thither;
 ‘ nor doth he, who so promiseth, remain obliged
 ‘ in any thing, *having done what lies in him*. And
 having passed this Decree, for the Satisfaction of
 the *Emperor*, they pronounce *John Hus* guilty
 of *Heresy*, and thereupon seven of the *Bishops* so-
 lemnly degrade, and *commit his Soul to the Devil*,
 his Body to the *Emperor*, who commands *Ludovicus*,
Duke of Bavaria, to deliver him up to the *Exe-
 cutioners*, who thereupon commit his Body to the
 Flames. The Question then is, whether the *Em-
 peror* did not break his Faith with *John Hus* in so
 doing, and whether the *Council* did not decree,
 that neither he nor any else were bound to keep
 it in this Case with *Hereticks*? And although this
 case be so plain and clear to all Persons who have
 any Sense of Justice and Honesty, that we dare

de hujusmodi personarum erroribus inquirere & alias contra eos
 debito procedere, eosdemque punire quantum justitia suadebit, si
 suos errores revocare pertinaciter recusaverint, etiamsi de salvo
 conductu confisi ad locum venerint judicii, alias non venturi
 nec sic promittentem, cum alias fecerit quod in ipso est, ex hoc
 in aliquo remansisse obligatum, Bin. Concil. To. 7. p. 1075.

to appeal to the most indifferent Persons in the World, Whether it be not a most notorious Violation of Faith for *Sigismund* himself, after a solemn Promise made to *Hus* of *safe Return*, to be the * Instrument of his Execution? And whether they, declaring that the *Emperor* had done what in him lay, as to the Observation of this Promise, do not expressly declare, that † *Emperors* cannot hinder the Execution of an *Heretick*, when *H. Church* doth interpose for his Destruction, what Promises soever they made of Safety to him? Yet that which most of all confirms this Truth, is the Consideration of the Answers made by the Doctors of the *Roman Church* to *Protestants* accusing this *Council*, as well they might, of favouring the Breach of Promise made by *Catholics*, to such as they are pleased to call *Hereticks*; now the chief Plea which *Becanus*, and after him the Author of *Labarinthus Cantuariensis*, Opusc. T. 2. p. 149. makes to free the *Councils* from this Imputation, qu. 5. § 2, 3. Lab. Cant. p. 154. is, viz. that ‘ by that Decree the *Council* declares, that no *Secular Power*, how *Sovereign* soever, can hinder the Proceedings of the *Ecclesiastical Tribunal* in Causes of *Heresy*; and consequently, if the *Emperor*, or any other *Secular Prince*, grants a *Safe-Conduct*, or makes Promise

* Aberat tum forte *Sigismundus*, & certior factus graviter tulit, coque venit, sed cum Pontificii dicerent, *Non esse Fidem servandam Hereticis*, non modo remisit offensionem, licet Bohemi frequenter intercederent, & fidem servari peterent, sed etiam primus omnium acerbè in eum pronunciavit. *Sleidan. Commentar. l. 3. p. 59.*

† Incinerationem *Joh. Hus*, Imperator non æquo animo tulit, propter saluum conductum ei datum. Respondit ei Sacrosancta Synodus eum argui non posse de fide mentita, quia Concilium ipsum non dederat ei saluum conductum, & *Concilium majus est Imperatore*, & ideo non potuisse contra voluntatem Concilii id concedere, præcipue in factis fidei. *Naucerus, Gen. 48. p. 272.*

' of any thing to the Prejudice of that *Jurisdiction*, it shall not hold. The Reason is, Because it is a Promise made of a thing not pertaining to the *Jurisdiction* of that *Prince*, nor wholly in his Power to see performed: Which, if I understand any thing, is expressly to say, that though in Cases properly pertaining to the *Prince's Jurisdiction*, he must perform his Promise, yet not in this of *Heresy*; because it doth belong to the *Ecclesiastical Tribunal*: When therefore the *Council of Constance* decrees, that no *Secular Power* is obliged by any *Safe-Conduct* to any thing that may hinder the *Ecclesiastical Tribunal's* Proceeding in Cases of *Heresy*, what doth it else but declare in express Terms, that *Faith* is not to be kept with *Hereticks*, that is, in any thing relating to their *Heresy*; for this it seems the *Magistrates* have nothing to do with; and therefore let *Kings* and *Princes* make never so solemn Promises and Engagements to Men suspected of *Heresy*, to their Peril be it who rely upon them, for they have nothing to do to promise in such Matters, and though their Faith be given never so publickly and solemnly, they are not bound to keep it: For if they should, it would be to the apparent Mischief and Prejudice of the *Church*. This necessarily follows from their own Words, and the Distinction here used by them: And also from the Words of the *Council*, for if *no Safe-Conduct of Emperors or Kings can prejudice the Catholick Faith, or hinder the Ecclesiastical Jurisdiction from proceeding duly against Hereticks, and punishing them as far as Justice doth require*, it cannot hinder the Execution of them by the *Magistrate* when they are given up to the *Secular Power* for that End; for, I suppose, the *Council* could not but esteem the freeing *Hereticks*, condemned by the *Church*, from civil Punishments, a *Prejudice*

to the *Catholick Faith*, and an *hindrance of the Ecclesiastical Jurisdiction*, by letting them escape, who by that Jurisdiction were condemned to suffer what was due to *Hereticks*. So that the plain Result of all is this, That no *Prince* ought to promise Safety to the *Heretick*; But if he does so, though it be more than he can do, yet the *Church* can make that good use of it, that by that means she may get the *Hereticks* under her Power, and when she hath them, it is but then declaring this Promise to be null, and she may do with them as she pleases.

§. XXI. Now to give you the Description of a *Popish Prince* placed in the *Throne*, invested with the Power of the Sword, and settled in a *Kingdom*, where *Protestants*, that is, *damned Hereticks*, abound, from the *Decrees* and the *Determinations* of their approved general *Councils*, and almost in in their own Expressions, it is this, *viz.*

A *Popish Prince* is one, who as he doth desire to be esteemed a *Christian*, or a true Son of the *Church*, stands bound to wait on the *Inquisitors* or *Catchpoles* of the *Church*, affording them his Aid and Favour, in finding out and apprehending, and in committing to the Goal all *Hereticks*, with all that favour and abet them, that is, he is to do the Office of a *Bailiff*, *Constable*, and a *Goal-Keeper* to bloody *Bonner*, or any other Person deputed by his *Holiness* for the Destruction of his *Subjects*. Moreover, as he would avoid the heavy *Censures* of the *Church*, he must oblige himself by *Oath*, not only to rob and spoil his *Protestant Subjects* of their *Goods*, and put them into Chains and Fetters, but also to exterminate them out of his *Kingdoms and Dominions*, and when they are by the *Inquisitors* or *Bishops* delivered up into his Hands, he must presently commit them to the *Flames*, that is, he must perform the Office of the *Hangman*

or *Executioner* for *H. Church*. And, if he be remiss or backward in butchering his *Subjects* for their Conscience sake, he must then be deprived of all his *Dominions*, and they must be disposed of to Persons more inclined to act these bloody *Tragedies* upon them. And, lastly, if he hath bound himself by Promises or Oaths to deal more mildly with them, and to permit them to enjoy their own *Religion*, or hath engaged not to execute these Sanguinary Laws upon them, he must repent of this horrid Wickedness, be false unto the *Oath* of *God*, and, in despite of all his Promises, he must effectually proceed to the Extermination and Destruction of them.

§. XXII. If he be backward or remiss in executing of these Sanguinary Laws, he hath his ghostly *Fathers*, the *Archbishops* and *Bishops*, who cannot, without *Perjury*, forget to spur him on to the Effusion of the Blood of *Christians*; for, by the *Oath* which these *Embassadors of Peace* do take at their Admissions to their Sacred Functions, they oblige themselves * 'to prosecute and impugn to the utmost of their Power, all *Hereticks*, *Schismatics*, and *Rebels* to the *Pope*.' If they be remiss in this matter, they, by the *Constitution* of the Fourth general *Council* of *Lateran*, must lose their high and rich Preferments, which, out of too much Kindness to a damned *Heretick*, you may be sure they will not do. 'Tis from their Importunity that all these Sanguinary Laws of *Princes* had their Rise; 'tis they who have insatiably thirsted after *Christian Blood*, and, like *Death*, never said they had enough; 'tis they who established all the forementioned Laws, and

Can. 3.
vide supra,
§ 14.

* Hæreticos Schismaticos aut Rebelles, eidem Domino nostro, vel Successoribus prædictis, pro posse persequar & impugnabo. Pontif. Rom. edit Antwerp A. D. 1626. p. 59, & 86.

who in *France* and *Germany* were still taking Council together how to destroy their *Christian Brethren*, more righteous than themselves: 'Tis they who do encourage and admonish one another carefully to execute, observe, and cause inviolably to be observed, by all their Subjects, all Laws made against Persons infamed or suspected of any *Heresy*, and against all *Receivers*, *Favourers* and *Defenders* of them, and against *Secular Powers*, who being lawfully required, neglect to extirpate *Heretical Pravity* out of their 'Dominions.' And with what Faithfulness and Zeal they have performed, in this Point, their Oaths, a few late Instances will shew. The general Council of *Siena*, held *A. D.* 1423. exhorts, Concil. To. 13. p. 325. invites, admonisheth all *Christian Princes*, by the Bowels of the Mercies of *God*, and as they desire to avoid the Divine Vengeance, and the Penalty of the Law, to be watchful and intent to extirpate with all speed the *Heresy* of the *Wicklefists* condemned by the Church. A Council met at * * *Concil. To. 14. p. 441, 442* *Paris*, under the *Archbishop* of *Sens*, *A. D.* 1528. and therefore called *Concilium Senonense*, renews all the Decrees of the Fourth general Council of *Lateran*, 'excommunicating all *Hereticks*, and declaring all that believe not as the Church of *Rome* believes, to be *Hereticks*, condemning them to perpetual Imprisonment, Confiscation of their Goods, and decreeing that they shall be given up to the Hands of the *Secular Magistrate*, and commanding all *Bishops* to be diligent in Execution of these Laws, and all *Governors* and *Consuls* of *Cities* to take an *Oath* to be aiding in this Work, according to their Power.' This done, they thus apply themselves unto his *Christian Majesty*, 'We beseech the most *Christian King* ' by the Bowels of the Mercy of *God*, for the singular Zeal, and wonderful Affection, and in- Francis the First.

p.443.

Ibid.p.462.

' credible Devotion which he beareth to the
 ' *Christian Religion*, he would forthwith expel all
 ' *Hereticks* out of his Dominions and Territories,
 ' and would exterminate them: And necessary,
 ' say they, is it that all *Orthodox Princes* should
 ' bend their whole Endeavours, and exercise
 ' their Power for the destroying and chasing
 ' away *Hereticks*, if they are willing to con-
 ' sult the good of *Christianity*, or fear the Ruin of
 ' the *Christian Faith*; this is sufficient to work
 ' upon their Piety, if they incline that Way.' To
 move them to this Butchery, with hopes of tem-
 poral and of eternal Advantages, they let them
 know, that ' though *God* is able to destroy the
 ' *Hereticks* himself, yet such is his *Goodness*, that
 ' he would have Men to be Co-workers with him
 ' in this thing, and that he amply will reward all
 ' those that are so, and that it would be tedi-
 ' ous to rehearse the Glory and Felicity of them
 ' who, adhering stedfastly to the *Catholick Faith*,
 ' did slaughter *Hereticks*, as being the capital Ene-
 ' mies of the *Crown*.' And to deter them, if
 they be superstitious, with the dread of Punish-
 ments, they add, that, ' on the contrary, such
 ' *Princes* as have been favourable to *Hereticks*, and
 ' did not withstand their *Errors*, found the Ven-
 ' geance of *God* against them, and, being desti-
 ' tute of his Favour, fell into grievous Calami-
 ' ties, and miserably ended their Lives: We
 ' therefore, considering these Things, according
 ' to our Duty, do instantly exhort all *Christian*
 ' *Princes*, and, in the *Lord*, beseech them, that,
 ' as they desire to consult their own Welfare, to
 ' keep the Rights of their Dominions pure, as
 ' they desire to keep the People subject to them
 ' in Peace and in Tranquility, they would, with
 ' powerful Arm, defend the *Catholick Faith*, and
 ' manfully endeavour to subdue its Enemies:
Hoc profecto nostrum desiderium, hæc votorum summa,
hæc

hac nostri conatus gloria, hoc est quod tota mente expos-
cimus, & assiduis precibus a Domino flagitamus, i. e.
 the Effusion of the Blood of *Hereticks* is what
 we chiefly desire both of *God* and *Men*, and to
 accomplish this is our chief Glory. The Council Bin. To. 9.
 of *Milan*, *A. D.* 1665. puts up the like Peti- p. 449.
 tion to the *Civil Magistrate* in these Words, ' We
 ' exhort *Princes*, and the *Magistrates* of *Cities*, and
 ' by the *Bowels* of the *Mercies* of *Christ* our Lord,
 ' we pray them, that, preferring heavenly Gain
 ' before earthly, they take care to forbid all Traf-
 ' fick and Commerce with *Hereticks*, in any of
 ' their *Towns* and *Cities*, and that they suffer not
 ' their *Subjects*, upon these Accounts, to repair
 ' to any *Heretical Countries*, especially that they
 ' would be helpful to, and heartily would favour
 ' (that Hell above Ground) the *Sacred Inquisition*,
 ' and, being desired, would interpose their Au-
 ' thority to that end; and what more they could
 ' ask it is not easy to imagine.

But should *Popish Princes* be remiss in Execution
 of this bloody Work, they must expect to be still
 quickned, if not threatned to it by that great
Malleus Hæreticorum call'd his *Holiness*. For this
 hath been the constant Business of that *See*, from
 the Twelfth Century, till of late, to call upon all
Catholick Princes to ruin both the Souls and Bodies
 of those *Subjects* who refused to obey the *Church*
 of *Rome*, or become *Subjects* to his *Holiness*. And
 to chastise those *Princes* who did countenance any
 such *Seëts* or *Heresies*, or who refused to destroy
 and murther them. How industriously they have
 promoted, how vehemently they have excited
Princes and other *Governors* to these inhuman Per-
 secutions, will appear from the ensuing Instances
 collected from the *Annals* of their own *Spondanus*.

In the beginning of the Thirteenth Century
 the Persecution waxed hot against the *Albigenses* To. 1. p. 36.
 and § 4. p. 43.
 and § 3.

- and *Waldenses*, by reason of the Fiery Zeal of *Innocent* the Third against them ; who in the Years 1208, and 1210. excited *Philip*, King of *France*, to fight against *Raimund*, the Count of *Toulouse*, and to expel him with his Adherents out of his Dominions, because he was a *Favourer* of *Hereticks*. *A. D.* 1209. he promiseth to all confes'd and penitent *Crusado's*, that would take up Arms against them, the *Remission of Sins*, and *Absolution from Pennance*, whereupon these *Crusado's* besiege, and take the City of *Beziars*, and destroy in it Sixty or Seventy Thousand Souls.
- p. 38. § 7. *An. Do.* 1211. *Innocent* the Third writes to the Count of *Toulouse*, not to receive into his Territories the *Albigensian* and *Waldensian Hereticks*, declaring that, if he should neglect to obey this Command, he would give up his Dominions to be possessed by the *Exterminators of Hereticks*, as afterwards he did.
- p. 102. § 8. *A. D.* 1229. *Gaufred*, the Legate of the *Apostolick See*, excites the *Citizens of Milan* to animadvert upon the *Hereticks*, by banishing and apprehending them, by destroying of their Houses, by
- p. 104. § 4. Confiscation of their Goods, and other Penalties; and in the Year following severe Laws were made against them there, by instigation of the *Pope*, and many *Hereticks* in *Lombardy* and *Germany* were burnt.
- p. 116. § 3. *A. D.* 1234. *Gregory* the Ninth excites *Ludovicus*, King of *France*, to restrain the *Albigensian Hereticks*, and in the same Year, by the Authority of the same *Gregory*, Expedition is made against the *Hereticks* dwelling in the Confines of *Saxony*, *Frisia* and *Bremen*, the *Cross* is preach'd up, and the same Privileges which were granted to those who went to the *Holy Land*, were promised to those *Crusado's* who should take up Arms
- p. 120. § 1. against the *Hereticks*. *An. Do.* 1235. He set forth

an *Edict* against them, which caused many of them to be burnt.

A. D. 1238. Pope Gregory the Ninth excites *Bela*, King of *Hungary*, to fight against *Asanus*, Lord of *Bulgaria*, because he had revolted from the Obedience of the *Roman See*, to the *Schism* and *Heresy* of the *Greeks*, and he solicits the *Crusado's*, gathered for the assistance of the *Holy Land*, to fight against him, by promising to them the same Privileges upon their Expedition against him. p.130. §10.

A. D. 1254. *Innocent* the Fourth sets forth divers *Constitutions* against *Hereticks* and their *Favourers*, commands the *Cross* to be preach'd up against them, and gives the same Privileges and Indulgences to all *Crusado's*, who engage against them, which had been granted by a general *Council* to those who went to the *Holy Land*. p.188. §6.

A. D. 1307. *Clement* the Fifth sent his *Legate* with an Army of *Crusado's* against the *Dulcinists*, who denyed the *Pope* and other *R. Prelates* to be true *Pastors*, because they lived not according to the Rules of the *Gospel*, by which *Crusado's* the *Dulcinists* were forced up into the *Alpes*, where they were partly destroyed by the *Sword*, partly by *Cold* and *Hunger*; *Dulcinus* himself, with some of his *Companions*, being taken, they were brought to *Vercelles*, and there cut in pieces, and afterwards their scattered pieces were committed to the *Flames*. p.364. §16.

A. D. 1335. *Benedict* the Twelfth excites *John*, King of *Bohemia*, and the *Bishop* of *Almutz*, against some *Hereticks* who came thither out of *Germany* and the neighbouring Places: And *Edward* the Third of *England*, against the *Hereticks* in *Ireland*, who said the *Sacrament* was not to be adored.

A. D.

p. 522. § 12. A. D. 1352. Clement the Sixth writes to *Peter de Montibus*, an *Inquisitor*, and to all *Prelates* and *Rectors* to persecute the *Hereticks* in the Province of *Ambrun*, this Persecution makes them fly into *Calabria*. And An. Do. 1353. *Innocent* the Sixth writes to the King of *Sicily* to assist the *Inquisitors* of *Heresy* against them there.

p. 580. § 11. A. D. 1372. Gregory the Eleventh excites *Charles* the Fourth, *Emperor* of *Germany*, and other *Princes* of that Nation, to extirpate the *Hereticks* called *Begardi* and *Bequini*, who again sprang up in *Germany*.

p. 582. § 2. A. D. 1374. He writes to the *Archbishop* of *Prague*, and to *Charles* the *Emperor*, to punish one *Malladius* an *Heretick* and his Followers, and to assist the *Inquisitors* in so doing.

p. 586. § 5. A. D. 1375. The *Hereticks* abounding in the Provinces of *Dauphine*, *Savoy*, and other neighbouring Places; the same *Pope* writes vehement Letters to the *Prelates* and *Rectors* of those Provinces, and to *Charles*, King of *France*, to labour with the *Inquisitors* to root them out of those Provinces.

p. 590. § 5. A. D. 1377. He writes to the King of *England*, and to the *Chancellor* of *Oxford*, to extirpate the Errors of *Wickliff*.

p. 718.
§. 23. In the Fifteenth Century, A. D. 1409. *Alexander* the Fifth commands the *Wicklefists* to be apprehended and condemned as *Hereticks*, by requesting the Aid of the *Civil Magistrate*.

p. 779.
§. 2. A. D. 1422. *Branda*, a *Cardinal*, was sent by *Martin* the Fifth, to prosecute the *Holy War* against the *Hussites*.

p. 793.
§. 1. A. D. 1427. *Martin* the Fifth gives to *Henry* of *Winton* ample Power to raise an Army of *Crusado's* against the *Wicklefists* and *Hussites*, promising to them the same Privileges which were granted to them who went to the *Holy Land*.

In the Sixteenth Century, When *Luther* came upon the Stage, *Leo* the Tenth, *A. D.* 1520. set forth a Bull against him, declaring, * that ' since ' the *Church* of *Rome*, *N. B.* had translated the *Empire* from the *Greeks* to the *Germans*, she had ever ' found the *Germans* to be severe Oppugners of all ' *Heresy*, witness the *Decrees* of the *German Emperors* for the exterminating *Hereticks* out of their ' *Dominions*, the *Condemnation* of the *Hussites*, ' *Wicklefists*, and *Jerom* of *Prague* by the *Council* of ' *Constance*; witness the *Blood* they have so often ' shed against the *Bohemians*. Wherefore, to shew ' the *Care* he bears for *Christian Religion* and the ' *Orthodox Faith*, † he, with his *Cardinals*, and ' many other *Divines* most skilful in *Theology*, and

* Post translatum ex Græcis, a R. Ecclesia, in eisdem Germanos Imperium, iidem prædecessores nostri, & nos ejusdem Ecclesiæ Advocatos & Defensores ex eis semper accepimus, quos quidem Germanos constat Hæresum acerrimos Oppugnatores semper fuisse, cujus rei testes sunt laudabiles illæ Constitutiones Germanorum Imperatorum pro libertate Ecclesiæ, proque expellendis exterminandisque ex omni *Germania* Hæreticis: Testis est in Concilio *Const.* Hussitarum ac Wicklefistarum, necnon *Hieronymi Pragensis* damnata ac punita perfidia: Testis est toties contra *Bohemos* Germanorum sanguis effusus. *Bull. Leonis Decimi. Concil. To. 14. p. 391.*

† Nos igitur, --- habita super prædictis erroribus--- diligenti trutinazione, discussione, ac districto examine, maturaque deliberatione cum venerabilibus fratribus *S. R. E.* Cardinalibus, --- pluribusque aliis *S. Theologiæ*, necnon utriusque *Juris* Professoribus sive Magistris, & quidem Peritissimis, reperimus eosdem Errores non esse Catholicos, ---- sed Contra Ecclesiæ Catholicæ Doctrinam & Traditionem, contra Sanctorum Patrum Determinationes, Conciliorum quoque & Summorum Pontificum expressas Ordinationes seu Canones, quibus non obtemperasse omnium Hæresum & Schismatum fomes & causa semper fuit; de eorundem itaque Fratrum nostrorum consilio & assensu, ---- præfatos omnes & singulos Articulos tanquam respective hæreticos, aut scandalosos, aut falsos, & veritati Catholicæ obviantes damnamus, reprobamus, &c. ac pro damnatis, reprobatis ac rejectis, ab omnibus utriusque sexus fidelibus haberi debere, harum serie decernimus ac declaramus, *Ibid. p. 394. 395.*

‘ the

the most *Eminent Professors* of both *Laws*, after
 mature *Deliberation*, diligent *Examination* and
Discussion of some *Articles* cited in this *Bull*, of
 which this is one, *viz. That it is against the Will*
of the Holy Spirit, that Hereticks should be burnt,
 declares, that all those *Articles* were contrary to
 to the *Doctrine* and *Tradition* of the *Catholick*
Church, against the *Determinations* of *Holy Fa-*
thers, and the express *Ordinances* and *Canons* of
Popes and *Councils*, which not to be obedient to,
 is the *Cause* and *Nourishment* of all *Heresies* and
Schisms. He therefore, with the *Counsel* and
Assent of the aforesaid *Brethren*, pronounceth
 all the aforesaid *Articles* to be respectively *He-*
retical, or *Scandalous*, or *False*, and contrary to
Catholick Verity, and, as such, reprobates and
 damns them; decreeing, that all *Christians* shall
 look upon them as such. And he * inhibits all
Kings, Emperors, Electors, Princes, Dukes, Mar-
quesses, &c. under the *Penalty* of the greater
Excommunication, to be actually incurr'd without
 judicial *Proceeding*, to assert, affirm, defend,
 preach, or publicly or secretly, tacitly or ex-
 pressly to favour the aforesaid *Errors* or perverse
Doctrine of *Luther*; and under the same *Penal-*
ties commands them personally to apprehend
 him, his *Accomplices*, *Adherents*, *Receivers*

* Inhibentes sub majoris Excommunicationis latæ Sententiæ
 pœnis, --- Regibus, Imperatoribus, Principibus, Ducibus, &c.
 ne præfatos Errores, aut eorum aliquos asserere, affirmare, de-
 fendere, prædicare, aut illis publice vel occulte, tacite vel expre-
 se favere præsumant. — *Ibid.* p. 395. 396,

Regibus, Imperatoribus, Electoribus, &c. mandamus, qua-
 tenus, sub prædictis omnibus & singulis pœnis, ipsi, vel eorum
 quilibet, præfatum *Martinum*, Complices, Adhærentes, Recep-
 tantes & Fautores personaliter capiant, & Captos ad nostram in-
 stantiam retineant, & ad nos mittant, reportaturi pro tam bono
 opere, a Nobis & Sede Apostolica remunerationem præmiumque
 condignum. *Ibid.* p. 398. 399:

and

‘ and Favourers, and to retain them till the *Pope*
 ‘ requires them, and then to send them to him,
 ‘ for which good Work he promiseth to reward
 ‘ them. And lastly, He doth excommunicate and
 ‘ anathematize all Persons, of what State, Degree,
 ‘ Condition, Pre-eminence, Dignity or Excellen-
 ‘ cy soever, who any Ways do hinder the Publi-
 ‘ cation of this *Bull* in their Dominions.

A. D. 1521. He pronounceth *Luther* a *Heretick*, Spond. To. 2. p. 338. ad A. 1521.
 and declares, that all Persons, of what Authority,
 Dignity or Condition soever, who did patronize
 or yield him any Counsel, Help or Favour, had
 incurr’d the Penalties and Censures inflicted by the
Canons upon *Hereticks*, and all the other Punish-
 ments contained in his former *Decree*. And he
 commands, that they should every where be de-
 nounced excommunicate, anathematized, accursed,
 interdicted, deprived of all Honour, Goods and
 Dignity, and that they and their Posterity should
 be incapable of them for the future, and should
 by all Men be avoided.

A. D. 1522. *Hadrian* the Sixth excites the *Princes* p. 348. §. 13.
 of *Germany* to extirpate the *Herefy* of *Luther*, and
 writes Letters both to the *Secular* and *Ecclesiastical*
Princes, to this effect, and particularly to *Frede-
 rick*, Duke of *Saxony*, in whose Dominions *Luther*
 dwelt, admonishing him to consider how he could
 answer at the *Tribunal* of *Christ* for cherishing a
 Madman, and a Subverter of the Doctrine of
 the *Church*. And * ‘ denouncing to him in the
 ‘ Name of the Omnipotent *God*, and the *Lord*

* Hoc tibi denunciamus in virtute Omnipotentis Dei & Do-
 mini nostri *Jesu Christi*, cujus in terris Vicarius sumus, nec te
 in presenti seculo laturum impune, & in futuro æterni te ignis
 expectare incendium.---quare revertimini ad Cor, & resipiscete,
 Tu, tuique misere seducti *Saxones*, nisi utrumque gladium, Apo-
 stolicum simul & Cæsareum, olim velitis experiri. *Bull, Adrian.*
Sexti, apud Bin. To. 9. pag. 180.

‘ *Jesus*

‘ *Jesus Christ*, that if he did not return to a sound
 ‘ *Mind*, he should hereafter be condemned to
 ‘ *Hell Fire*, and should not go unpunished in this
 ‘ *present Word*, but suffer by the *Sword of Ca-*
 ‘ *sar* and the *Apostles See*. And to that end this
 Pope writes Letters to the *Electors* and other *Prin-*
ces of Germany, and sends an *Instruction* to *Chere-*
gata, his *Legate*, how to proceed in this Matter

p. 375.
 §. 24.

A. D. 1525. *Clement* the Seventh exhorts the *Se-*
nate of Paris to punish the *Lutheran Heresy* sprung
 up amongst them, professing that he himself will
 spare no *Diligence* or *Industry* in that Cause.

p. 704.
 §. 25.

A. D. 1568. *Maximilian* grants to the *Nobili-*
ty of Austria, the free Exercise of *Augustan Con-*
fession in their Towns, Castles and Villages, which
 when *Pius* the Fifth hears of, he presently sends
 to him the *Cardinal of Commendonum* to hinder it,
 or if he could not hinder it, to declare by the
Apostolical Authority, that the Pope would inflict
 upon him, if he did not suddenly rescind that
Decree, all the *Ecclesiastical Penalties* and *Execrati-*
ons, and would deprive him of his *Dominions*, and
 take care that another should be chosen *Emperor*.

p. 822.
 §. 17.

A. D. 1585. *Sixtus* the Fifth exhorts the *King*
 of *France*, that, being mindful of his Oath which
 he had taken at his *Coronation*, *De omnibus Hære-*
sum atque Sectarum Seminibus extirpandis, to extir-
 pate all the Seeds of *Heresy* and *Schism*, he would
 effectually perform it.

F I N I S.

